NOVA SCOTIA
LEGISLATIVE LIBRARY

PROVINCE HOUSE

A

DIGEST

OF

The Laws

(From 12 CHARLES II. to 59 GEORGE III. inclusive)

RELATING TO

SHIPPING, NAVIGATION, COMMERCE, AND REVENUE,

IN THE

British Colonies

IN *AMERICA* AND THE *WEST INDIES*,

INCLUDING

THE LAWS AND TREATIES FOR THE ABOLITION OF

The Slave Trade.

BY WILLIAM EARNSHAW,
Solicitor for the Customs for the Northern Ports of England and Wales.

PUBLISHED BY PERMISSION OF THE HONOURABLE THE COMMISSIONERS OF HIS MAJESTY'S CUSTOMS.

LONDON:
PRINTED BY A. STRAHAN,
LAW-PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.
1819.

LEGISLATIVE LIBRARY HALIFAX, N. S.

NS
347.7
E
TR

695

INTRODUCTION.

IN publishing a Work of this Nature it is necessary to premise that the European Colonies in America and the West Indies are of Two Descriptions—First where the Lands are claimed by Right of Occupancy only, by finding them desert and uncultivated and peopling them from the Mother Country; and, Secondly, when already cultivated, they have been either gained by Conquest or ceded by Treaties; and both these Rights are founded upon the Law of Nature, or at least, upon that of Nations. The Colonies belonging to Great Britain are, principally, of this latter Description, and therefore the Common Law of England, as such, has no Authority there, being distinct (though dependent) Dominions: They are subject, however, to the Controul of the Parliament of Great Britain, though not bound by any Act, unless particularly named.*

With respect to Countries gained by Conquest, the Inhabitants, once received under the King's Protection, become Subjects, and are to be universally considered in that light, not as Enemies or Aliens; and although the King,

* Commentaries on the Laws of England.

without the Concurrence of Parliament, has a Power to alter the old and introduce new Laws in a conquered Country, he cannot exempt an Inhabitant from the Laws of Trade, or from the Power of the Parliament of Great Britain, or give him Privileges exclusive of his other Subjects.*

The Form of Government in most of the *British* Colonies is borrowed from that of England; and the Laws passed by their General Assemblies and Council, with the Concurrence of the Governor, are of the same Validity in the Colonies, as Acts of Parliament are in the Mother Country; unless repugnant to any Law made in Great Britain relative to the Colonies, in which Case they are utterly void and of no Effect †.

It has been the Policy of the different Nations of Europe, with regard to their Colonies, to secure to themselves respectively the most important of their Productions, and retain exclusively the great Advantage of supplying them with European Produce and Manufactures; Commercial Monopoly is therefore the leading Principle of Colonial Intercourse.

The British Colonies in the West Indies (in so many respects dissimilar in Nature and Situation from those in North America) are of great Value and Importance, for their Cultivation is devoted to Objects which the Mother Country

* Campbell v. Hall, (Cowper's Reports.)

† 7 & 8 W. III. Ch. 22.

cannot

cannot produce, and which, from their extensive Consumption, afford the surest Means of balancing her Foreign Trade.

They answer in every point of view all the Purposes and Expectations for which Colonies have at any Time been established. Their Productions are not only sufficient for the Consumption of the Mother Country, but afford the Means of a large Export to Foreign Markets, of many valuable and most necessary Commodities, none of which interfere in any respect with her own Productions, and most of which she cannot obtain on equal Terms elsewhere; and, as many of these Commodities yield a Profit so much beyond what can be obtained from the Cultivation of Grain, it is true Economy in the Planter to buy Provisions from others rather than raise them by his own Labour. The Trade of the West Indies, therefore, supports and increases British Commerce and Navigation in Time of Peace, and very eminently tends to invogorate her Operations in War.

A Series of Regulations, Restrictions, and Prohibitions have therefore been devised, to secure to Great Britain the exclusive Trade of her Colonies; no Goods are to be imported or exported in Foreign Shipping; no Commodity whatever, the Growth or Production of Europe, is allowed to be imported into the Colonies, unless laden in the Mother Country, except certain Articles and Implements for the Fish-

eries, and Wine from the Madeiras or Azores. Before the lading Sugar, Coffee, and many Articles of Colonial Production, Security must be given to convey them to some other British Colony, or to the United Kingdom. These latter Articles being enumerated in the Navigation Acts, have for that reason, been called "*Enumerated*:" Other Articles, not included in the Enumeration, may be exported directly to any Countries of Europe, not being to the Northward of Cape Finisterre.

Amongst other Regulations for securing the due Execution of the Navigation Acts, a Duty was imposed upon the principal Enumerated Commodities when not intended to be conveyed to Great Britain; for it had been found that, under colour of shipping the Articles for another British Colony or Plantation, they were often vended at Sea to the Shipping of other Nations, or transported to Europe direct.

The *Enumerated* Articles are of Two Sorts—First, such as are either the peculiar Produce of America, or as cannot be produced (or at least are not produced) in the Mother Country; —Secondly, such as are not the peculiar Produce of America, but which are or may be produced in the Mother Country, though not in such Quantities as to afford a sufficient Supply, and have therefore been obtained from European Countries.

By

By confining the Enumerated Articles to the Home Markets, the Merchants are not only enabled to buy them cheaper in the Plantations, and consequently sell them at a better Profit at Home, but to establish between the Plantations and Foreign Countries an advantageous carrying Trade, of which Great Britain was necessarily to be the Centre or Emporium, as the European Country into which the Articles were first to be imported. The Importation of Articles of the Second Kind are so managed as to interfere, not with the Sale of those of the same Kind which were produced at Home, but, with the Sale of those imported from Foreign Countries, because, by means of proper Duties, they might be rendered always dearer than the former, and yet much cheaper than the latter. This was intended to operate as a Discouragement to the Produce, not of Great Britain, but of some Foreign Countries with which the Balance of Trade was held to be unfavourable to Great Britain.*

This System has in view Two Objects—First, the Increase of our Naval Strength; Secondly, the securing to the Parent State all the Emoluments arising by the Monopoly both of the Imports and Exports; and another Advantage is, that we receive from our Colonies all the Products, Raw, and in the first state, and send to them every thing in the last stage of Manufacture. But "Laws, which made the Interest

* Dr. Adam Smith's Wealth of Nations.

" of a whole People subservient to that of " another residing at the Distance of 3,000 " Miles, were not likely to execute themselves " very readily, nor was it easy to find many on " the Spot who could be depended upon for " carrying them into Execution †."

More effectually to prevent the Frauds and Abuses that had existed to the Prejudice of the British Navigation, and the Loss of a great Part of the Trade of the Colonies, many additional Regulations have been directed to be observed, the most material of which are—that the Masters of Ships coming into or going out of the British Colonies shall report, and, if inward bound, before proceeding to the Place of unlading; that all Ships and Goods shall be subject to the same Rules, Restrictions, Penalties, and Forfeitures to which Ships and Goods in England are subject by 13 & 14 Car. II. c. 11.; that Officers shall be appointed as often as may be needful; that no British Ships shall be qualified to trade to the said Colonies unless registered; that no Goods shall be shipped to be carried from one British Colony or Plantation to another, without a Sufferance from the proper Officers, nor conveyed from thence without a Cocket, except laden in Boats or small Vessels under Twenty Tons, and carried within inland Waters, and not farther out to Sea than One League; that no Ship carrying Goods to or

* Mr. Reeve's History of Law of Shipping and Navigation.

from

from the British Colonies, or from one Colony to another, shall be deemed qualified to trade, until the Master shall prove on Oath that she is the identical Ship registered, that she belongs to His Majesty's Subjects, and that no Foreigner has any Share or Interest therein.

It has been deemed expedient, however, to depart in some Measure from the Colonial System, by permitting the Exportation of most of the principal Enumerated Commodities from the Sugar Colonies direct to Malta and Gibraltar, and allowing the Exportation of a great Variety of European Articles from Malta and Gibraltar direct to the said Sugar Colonies, and to Newfoundland, Bermuda, and the Colonies in North America; also Oranges and Lemons from the Azores or Madeiras: To extend also the Trade of the North American Colonies and encourage the Fisheries, the Lading of other Articles is permitted in Ports of Europe South of Cape Finisterre, on board Ships arriving from the said Colonies, either with Articles the Production thereof, or with British American Fish; finally, Dutch Proprietors in Demerara, Berbice, and Essequibo, may export the Produce of their Estates to the Netherlands, and import from thence into those Colonies the necessary Articles of Supply for the Cultivation of such Estates, and the Clothing and Maintenance of the Residents thereon, and the Trade to and from the Netherlands may be carried on in Dutch Ships.

Such

Such is briefly the Nature of the Law and Policy regarding "*the Trade with Europe;*" and as none of the Countries South of Cape Finisterre are Manufacturing Countries, it is not considered that any Injury can arise in consequence of the Departure from our Colonial System in favour of those Countries.

With respect to the Trade "*between the Colonies,*" both in the Enumerated and the Non-enumerated Commodities, it is perfectly free, except as to Hats, Wool, and Woollen Manufactures, the Exportation of which is wholly prohibited to any Place; this Prohibition was intended to prevent the Establishment of any Manufactures of such Commodities in the British Colonies, to the Injury of the Export Trade of the Mother Country.

Ever since the Independence of the "*United States,*" the Trade of the British Colonies has been subject to particular Limitations and Restrictions, with respect to its Intercourse with that Country. Having broke off their Political Connexion with Great Britain, and become our Rivals in Trade and Manufactures, it was thought necessary to confine the "*Imports*" to Tobacco, Naval Stores, and such Articles as the British Colonies did not produce in sufficient Quantities for their Use and Consumption, and which could not be obtained elsewhere, and to confine the "*Exports*" to some Enumerated Commodities and Goods not prohibited to Foreign Countries

in

in Europe; such Articles and Goods being imported and exported by British Subjects and in British Ships, except as to Importations into Bermuda of the Articles first-mentioned, and Exportations from the Bahamas of the Article of Salt.

To prevent a circuitous Trade in the Articles permitted to be imported direct, Articles of the like Description are prohibited to be imported from the Islands and Colonies under the Dominion of "*Foreign European Sovereigns or States,*" except in Cases of public Emergency or Distress, when the Governors, with the Consent of their respective Councils, may authorize the Importation of the Articles for a limited Time from any of the said Islands or Colonies; but an Act passed in the last Session of Parliament* to permit the Importation of some of the Articles for such Supply *without Authority from the Governors*; and by another Act of the last Session† His Majesty is authorized to open Ports in Nova Scotia and New Brunswick for the Importation of Lumber, Cattle, Corn, Provisions, and other Articles in British Ships or in Ships belonging to the Subjects of *any* State in Amity with His Majesty, but none of the Articles are to be imported in *Foreign Vessels*, unless the Produce of *the Country* to which the Vessels importing the same shall belong. The Act also

* 58 G. III. Ch. 27.

† 58 G. III. Ch. 19. This is a temporary Law to continue in force for Three Years, and until Six Weeks after the Commencement of the then next Session of Parliament.

allows

allows the Exportation of Goods from those Ports to Foreign Countries either in British or *Foreign* Vessels, but no Exportations are allowed in Vessels of the *latter Description*, unless they belong to *the Country* to which the Goods are to be exported.

A very lucrative Trade had always been connived at in the West Indies, between the Spanish and English Colonies; and Orders in Council were issued soon after the passing of the Navigation Act, which expressly directed that Spanish Ships should be allowed to import into our Colonies particular Articles of Commerce, notwithstanding the Provisions of the Navigation Acts.*

It has since been considered that "*opening Ports in the West Indies,*" for the more free Importation and Exportation of Goods under certain Restrictions and Limitations, would be productive of considerable Advantage to the Manufactures of the Mother Country, and be a Means of increasing and extending the Trade and Navigation of His Majesty's Dominions: Acts have therefore been passed to permit a Variety of Articles to be imported into Ports in the West Indies from Colonies under the Dominion of Foreign *European* Sovereigns or States, in Ships owned and navigated by the Inhabitants thereof; particular Commodities may also be exported in such Ships.

To point out, however, the specific Articles affected by our Colonial and Navigation System,

* Mr. Reeve's Law of Shipping.

and

and the particular Regulations applicable to so important a Branch of Commerce, is a Matter of much Difficulty, owing to the Multiplicity of Articles, and their being subject, in many Instances, to distinct Regulations provided by Acts passed at remote Periods, by which the legality of the Importation or Exportation, as the Case may be, will sometimes depend upon the Place or Country where the Article is produced or manufactured, or from whence shipped and brought; or the Port or Colony into which imported, or from whence exported; the Built, Property, and Manning of the Ship; the Necessity of the Importation, and whether under proper Authority; and lastly, whether by His Majesty's Subjects or Aliens: These are important Considerations, as affecting our Colonial and Navigation System, and by which the Legislature appears to have been principally influenced in regulating and restricting the Trade and Commerce of the British Colonies. Independently of these Considerations, it is to be observed, that some Articles are absolutely prohibited to be exported to Foreign Countries; others are subject to Duty on Importation under different Circumstances, such as the Place or Country of their Production, or from whence brought; some Articles are liable to Duty on Exportation, according to the Place to which exported, or the Circumstances under which shipped, and many Regulations are provided for the Security of the Revenue, and the regular landing and shipping of the Article.

It

It occurred to the Compiler, that the Difficulty arising from the present perplexed state of these Laws could only be obviated, by arranging them under such appropriate Heads and Titles, as the Nature of the Subject might require. The Acts relating to the same Matters would thus be brought into the closest point of view, and arranged in such Order as might best contribute to render them intelligible; this Plan is an Improvement upon all former Compilations, where the Laws are classed under the general Head "*Plantations*" or "*British Dominions Abroad,*" which occasions tedious and intricate research, whenever it is necessary to refer to the Laws applicable to a particular Colony or Country, such as "*Canada,*" "*Newfoundland,*" "*Europe,*" "*United States;*" or to particular Commodities, such as "*Sugar,*" "*Coffee,*" "*Tobacco,*" "*Wood;*" and a variety of Acts affecting each of these Countries and Articles, have passed at very remot Periods.

The present Alphabetical Digest has therefore been compleated, in which the whole Law is brought together under the specific Article, Country, or Subject treated of, and the Acts are arranged so as to shew their Connexion with and Dependance on each other.

In abstracting the different Laws, the Substance thereof is conveyed in the Words used by the Legislature, and although more concise, yet nothing has been omitted which can be in any way material for the Information of the Reader;

Reader; and to give the utmost Facility to research, Marginal Notes have been framed by the Compiler with the greatest Care and Attention.

Some of the Acts of Parliament which relate to Trade and Navigation in the British Colonies and Plantations in America, equally apply to Trade and Navigation in the United Kingdom and other Parts of His Majesty's Dominions, particularly the Acts arranged under the Head, "*Aliens*," "*Navigation of British Ships*," and "*Registry of British Ships*;" the present Work may therefore be considered of Utility to the Owners and Masters of British Ships generally.

The *Policy* of these Laws having been before adverted to, it seems necessary to apprize the Reader, that the Propriety of carrying them into Execution according to their *strict* enactment, became a Subject of mature Consideration in the Case of the "*Betty Cathcart*," libelled and condemned at Jamaica for trading without a Register; but upon appeal to the High Court of Admiralty, the Sentence was reversed by the present Judge of that Court; upon which Occasion his Lordship observed, that "the Revenue and "Navigation Laws are certainly to be construed "and applied with great exactness; they are "framed for the Security of great national In-"terests; and the Effect of such Laws, founded "on great Purposes of public Policy, must not "be weakened by a minute tenderness to par-"ticular Hardships; at the same time, it is "not to be said, that they are not subject to all

"Con-

"Considerations of rational Equity. Cases of "unavoidable Accident, invincible Necessity, "or the like, where the Party could not act "otherwise than he did, or has acted at least "for the best, must be considered in this System "of Laws as in other Systems. Laws that "would not admit an equitable Construction to "be applied to the unavoidable Misfortunes or "Necessities of Men, or to the exercise of a fair "Discretion under Difficulties, could not be "Laws framed for human Societies. The Court "therefore will not deem it a departure from "the Duty of legal Interpretation in such Cases "to give a fair Attention to Considerations of "this Nature*."

In furtherance of the Principles here laid down, the Legislature, with a view to afford Relief to Merchants and Ship Owners, has empowered the Lords of the Treasury and the Commissioners of His Majesty's Customs to restore Ships or Goods seized under the Navigation Laws, if it shall appear to their Satisfaction that the Forfeiture arose without any Design of Fraud in the Proprietor; and in Cases where their Lordships or the Commissioners exercise the discretionary Power vested in them, no proceedings can be had either against the Ship or Goods, or for the Recovery of the Share to which the Seizing Officer would be entitled after Condemnation.

* See Robinson's Reports, Vol. I.

CONTENTS.

A.

	Page
Actions	1
Alabaster	*ib.*
Aliens	2
Almonds	9
Amber	*ib.*
Anchovies	*ib.*
Aniseed	*ib.*
Antigua	10
Antonio	*ib.*
Apprentices	*ib.*
Argol	*ib.*
Artificers	*ib.*
Ashes	11
Assistance	14
Azores	*ib.*

B.

Bahamas and Bermuda	14
Barbadoes	21
Beaver Skins	*ib.*
Berbice	*ib.*
Bills at Sight	*ib.*
Biscuit	*ib.*
Botargo	*ib.*
Box Wood	*ib.*
Bowsprits	*ib.*
Bread	*ib.*
Bridgetown	22
Brimstone	*ib.*
Britain	*ib.*
British Subjects	*ib.*
Bullion	23

C.

Caicos	24
Canada	*ib.*
Cantharides	39
Cape Breton	40
Capers	42
Cascasoo	*ib.*
Cattle and Live Stock	*ib.*
Cavier	45
Certificates	46
Cheese (Parmasan)	47
Cinnabar	*ib.*
Clothing	*ib.*
Cochineal	48
Coffee and Cocoa Nuts	*ib.*
Coin	63
Copper Ore	64
Coral	*ib.*
Cork	65
Corn and Grain	67
Cotton Wool	74
Crooked Island	78
Cumminseed	*ib.*
Currants	*ib.*

D.

Dates	78
Debts	*ib.*
Demerara	80
Diamonds	*ib.*
Dominica	*ib.*
Drugs	82
Dutch Colonies	*ib.*
Duties	*ib.*

E.

Emery Stone	85
England and English	*ib.*
Essence of Bergamot	*ib.*
—— of Citron	*ib.*
—— of Lemon	*ib.*
—— of Orange	*ib.*
—— of Lavender	*ib.*

Page.

Essence of Roses - - 85
——— of Rosemary - *ib.*
Essequibo - - - 86
Europe - - - *ib.*
Exuma - - - 96

F.

Falmouth - - - 97
Fees - - - *ib.*
Figs - - - 99
Fisheries - - - *ib.*
Flax - - - 103
Flour - - - *ib.*
Free Ports - - - *ib.*
Fruit - - - 109
Furs - - - 113

G.

Gibraltar - - - 113
Ginger - - - 114
Glass - - - 116
Goods - - - 117
——— (Enumerated) - 135
——— (Non-enumerated) 136
——— (East India) - 139
Governors - - - 140
Grenada - - - 145
Grindstones - - *ib.*
Guernsey and Jersey - *ib.*
Guiana - - - 148
Gum Arabic - - - 148
——— Mastic - - *ib.*
——— Myrrh - - - *ib.*
——— Sicily - - - *ib.*
——— Ammoniac - - *ib.*
Gypsum - - - 149

H.

Hats and Felts - - 149
Hemp and Flax - - 150
Hides and Skins - - 152
Hogs - - - - 153
Honey - - - *ib.*
Horses - - - *ib.*
Household Furniture - *ib.*

I. & J.

Page.

Jalap - - - 154
Jamaica - - - *ib.*
Implements - - - 156
Incense - - - 157
Indigo - - *ib.*
Insurances - - - 160
Ireland - - - 161
Iron - - - - 162
Juniper Berries - 163
Justices - - - *ib.*

K.

Kingston - - - 163

L.

Lava - - - - 164
Laws - - - *ib.*
Lead - - - - *ib.*
Lemons - - - 165
Lentils - - - *ib.*
Live Stock - - - 166
Logwood - - - *ib.*

M.

Maccaroni or Vermicelli 166
Madeiras and Western Islands - - - *ib.*
Malta and Gibraltar - *ib.*
Man; Isle of - - 172
Manifests - - - 173
Manufacturers - - *ib.*
Manna - - - *ib.*
Marble - - - *ib.*
Maria - - - 174
Meal or Flour - - *ib.*
Medals - - - 174
Molasses - - - *ib.*
Mosaic Works - - 176
Mules - - *ib.*
Musk - - - - *ib.*

N.

Page.

Nassau - - - 177
Naturalization - *ib.*
Naval Officers - - *ib.*
Navigation of British Ships - - - 178
Netherlands - - 184
Newfoundland - - *ib.*
New Providence - - 193
Nova Scotia and New Brunswick - - 194

O.

Ochres - - - 198
Officers - - - *ib.*
Oil - - - - 205
Oil of Almonds - - 208
——— Cloves - - - *ib.*
Opium - - - *ib.*
Orange Buds - - *ib.*
Oranges - - - 209
Oris Root - - - *ib.*
Ostrich Feathers - .. *ib.*

P.

Paintings - - - 209
Painters Colours - - *ib.*
Paper - - - 210
Passengers - - - 212
Pearls - - - - 217
Peas - - - - *ib.*
Penalties - - - 218
Pickles - - - *ib.*
Pimento - - - 219
Pistaccio Nuts - - 221
Pitch, Tar, and Turpentine - - - *ib.*
Pitt's Town - - - 224
Porto Rico - - - *ib.*
Portuguese Colonies - 225
Poultry - - - *ib.*
Pozzolona - - - *ib.*
Precious Stones - - *ib.*
Prince Edward's Island 226
Prints - - - 228
Provisions - - - *ib.*
Pumice Stone - - 232
Punk - - - - - *ib.*

Q.

Quebec - - - 233
Quicksilver - - - *ib.*

R.

Raisins - - - 233
Rhubarb - - - *ib.*
Registry of British Ships *ib.*
Rice - - - - 255
Road Harbour - - 259
Rosseau - - - *ib.*
Rum - - - - *ib.*

S.

Safflower - - - 259
Saffron - - - - *ib.*
Sails - - - - *ib.*
Sant John's (Island of) - *ib.*
Saint John's (New Brunswick) - - - 261
Saint John's (Newfoundland) - - - *ib.*
Saint John's (Antigua) 262
Saint George (Granada) *ib.*
Saint Ann (Jamaica) - *ib.*
Saint Domingo - - *ib.*
Saint Lucia - - - *ib.*
Saint Vincent - - 263
Salt - - - - *ib.*
San Josef - - - 268
Santa Lucea - - - *ib.*
Sarsaparilla - - - *ib.*
Sausages - - - *ib.*
Savannah La Mar - - *ib.*
Seamen - - - 269
Seeds - - - - 271
Seizures - - - 272
Senna - - - - 273

Page.

Settlers - - - 279
Sheep - - - 280
Ships - - - 281
Ships (Stranded) - - 299
Silk (Raw) - - - 305
Slaves - - - 306
Spirits - - - 368
Sponges - - - 378
Stone, viz. Malta Stone *ib.*
Sufferance - - - 379
Sugar - - - - *ib.*
Syrup - - - - 392

T.

Tallow - - - 392
Tar - - - *ib.*
Tobacco - - - *ib.*
Tobago - - - 398
Tools and Implements (Fishery) - - *ib.*
Tortoise Shell - - 399
Tortola - - - *ib.*
Trinidad - - - *ib.*
Turk's Islands - - *ib.*

V.

Page.

Vegetables - - - 400
Vermilion - - - *ib.*

U.

United States - - 400
Utensils of Husbandry - 407

W.

Wages of Seamen - 407
Whale Fins - - *ib.*
Whetstones - - *ib.*
Wine - - - *ib.*
Witnesses - - - 411
Wood - - - 412
Wool - - - 420
Writs of Assistance - 421

Y.

Yards (Wood) - - 421

DIGEST.

Actions.

1. IN case any Officer in the Plantations in America shall be sued or molested for any Thing done in the Execution of his Office, he may plead the General Issue, and give this and other Custom Acts in Evidence, and the Judge shall allow thereof; and such Officer shall enjoy the like Privileges and Advantages as are allowed by Law to the Officers of the Customs in England. 7 & 8 W. 3. c. 22. § 6.

General Issue may be pleaded.

2. In any Action commenced in Great Britain or America, against any Person for any Thing done in pursuance of this or any Act relating to the Customs, the Defendant may plead the General Issue, and give the Act and Special Matter in Evidence upon any Trial to be had thereupon, and that the same was done by Authority of such Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs. 4 Geo. 3. c. 15. § 47.

Defendants allowed Treble Costs.

Alabaster, (ROUGH AND WORKED).

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Aliens.

Not to act as Merchants or Factors.

1. No Alien, or Person not born within the Allegiance of the King, or naturalized or made a free Denizen, shall exercise the Trade or Occupation of a Merchant or Factor in any Land, Island, Plantation or Territory to His Majesty belonging or in His Possession, or which may hereafter belong unto or be in the Possession of His Majesty, in America, upon Forfeiture of all his Goods and Chattels, or which are in his Possession; One Third to His Majesty, One Third to the Governor of the Plantation where such Person shall so offend, and the other Third to the Person that shall sue for the same in any of His Majesty's Courts in the Plantation where such Offence shall be committed. 12 Car. 2. c. 18. § 2.

Except in the Surrendered Colonies

2. Every Person, although an Alien born, and neither naturalized nor made a free Denizen, who shall reside in any Island or Place which has surrendered in the West Indies, or which shall hereafter surrender to His Majesty, and be in His Majesty's Possession, and who shall have taken the Oath of Fidelity and Allegiance to His Majesty, according to the Terms of the Capitulation under which such Island or Place shall have surrendered, shall from the Time of such Surrender be entitled to exercise the Trade of a Merchant or Factor in any such Island or Place, so long as the same shall remain in the Possession or be under the Protection of His Majesty, according to such Laws and Regulations as His Majesty's Subjects shall be liable to in the same Island or Place. 34 Geo. 3. c. 42. § 6.

British Artificers and Manufacturers using or teaching their Art in a Foreign Country deemed Aliens.

3. If any of the King's Subjects within this Kingdom, being an Artificer or Manufacturer of or in Wool, Iron, Steel, Brass, or any other Metal, Clockmaker, Watchmaker, or any other Artificer or Manufacture of Great Britain, shall go into any Country out of His Majesty's Dominions there to use or teach any of the said Trades or Manufactures to Foreigners, or shall not return within Six Months after Warning given him by the British Ambassador, Minister, or Consul, or any Person authorized by him, or by a Secretary of State, and from thenceforth continually in[illegible] this Realm, he shall be deemed an Alien. 5 [illegible] .27. § 3.

Children of the King's Subjects, born out of Legiance of His Majesty, to be deemed British.

4. The Children of natural-born Subjects, born out of the Legiance of the Crown of Great Britain, shall be entitled to the Rights and Privileges of natural-born Subjects of Great Britain, and shall be taken to be natural-born Subjects, as if born in this Kingdom; provided that nothing in these Acts shall repeal or alter 5 Geo. 1. c. 27.

c. 27. relative to Artificers or Manufacturers. (See No. 3.) 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. § 1. 6. 13 Geo. 3. c. 21. § 1.

5. Provided that Children born out of the Legiance of the Crown of Great Britain, are not to be deemed natural-born Subjects, whose Fathers at the Time of the Birth of such Children were attainted of High Treason, or liable to the Penalties of High Treason or Felony in case of returning to this Kingdom, or whose Fathers at the Time of the Birth of such Children were or shall be in the Service of any Foreign Prince or State then in Enmity with Great Britain. 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. § 2. 13 Geo. 3. c. 21. § 2.

But Children of Persons liable to the Penalties of Treason or Felony, or in the Service of a Foreign Prince, deemed Aliens.

6. His Majesty may at all Times, when it shall be found necessary to declare War against any Foreign Power, publish a Proclamation to permit all Merchant Ships and other Trading Vessels and Privateers to be manned with Foreign Mariners and Seamen during such War; and upon the publishing such Proclamation every such Mariner and Seaman who shall have faithfully served during the Time of War on board any of His Majesty's Ships of War, or any Merchant or other Trading Ship or Privateer (which at the time of such Service shall belong to any of His Majesty's Subjects of Great Britain) for Two Years, shall be deemed to be a natural-born Subject of Great Britain, and enjoy all the Privileges, Powers, Rights, and Capacities which he would have enjoyed in case he had been a natural-born Subject of His Majesty, and actually a Native within Great Britain. 13 Geo. 2. c. 3. § 2. 4.

Seamen serving during War on board Trading Ships or Privateers for Two Years deemed British.

7. No Person who shall be naturalized by virtue of this Act shall thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office or Place of Trust either Civil or Military, or have any Grant of Lands, Tenements, or Hereditaments from the Crown to himself, or any other Person in Trust for him. 13 Geo. 2. c. 3. § 3.

Naturalized Persons disqualified from being Officers of State, Members of Parliament, holding Offices of Trust, or having Grants of Land.

8. All Persons born out of the Legiance of His Majesty, having resided for Seven Years or more in any of His Majesty's Colonies in America, and who shall not have been absent longer than Two Months at any one time during the Seven Years, and shall take and subscribe the Oaths, and repeat and subscribe the Declaration appointed by 1 Geo. 1. ch. 13, and shall make and subscribe the Declaration of Fidelity, and take the Abjuration

Having resided Seven Years in His Majesty's Colonies in America, and taken certain Oaths, &c. to be deemed British Subjects.

juration Oath, and also make and subscribe the Profession of his Christian Belief, before the Chief Judge or other Judge of the Colony wherein such Persons have so resided, shall be taken to be His Majesty's natural-born Subjects of this Kingdom to all Intents and Purposes, as if born within this Kingdom; which said Oath or Affirmation, and Subscription of the said Declarations, the Judge of the Colony is empowered to administer and take; and the taking and subscribing of every such Oath or Affirmation, and the repeating and subscribing every such Declaration, shall be before such Judge in open Court, between the Hours of Nine and Twelve in the Forenoon, and shall be entered in the same Court, and also in the Secretary's Office of the Colony wherein such Person shall so reside; and every Judge of such Colony is required to make a proper Entry thereof in a Book to be kept for that Purpose in the said Court, for which Two Shillings and no more shall be paid, under Forfeiture of Ten Pounds for every Neglect or Omission; and every Secretary of the Colony wherein any Person shall so take the said Oaths or Affirmation, and repeat and subscribe the said Declarations respectively, is required to make a proper Entry thereof in a Book to be kept for that Purpose in his Office, upon Notification thereof to him by the Judge, under the like Forfeiture for every Neglect or Omission. 13 Geo. 2. c. 7. § 1.

Protestants who scruple the taking of an Oath.

9. All Foreign Protestants who conscientiously scruple the taking of an Oath, having resided for the Space of Seven Years or more in any of His Majesty's Colonies in America, and not been absent longer than Two Months at any one Time, and who shall subscribe the Declaration of Fidelity, and affirm the Effect of the said Abjuration Oath, and also subscribe the Profession of his Christian Belief before the said Judge, shall be taken to be natural-born Subjects of this Kingdom to all Intents and Purposes; which said Affirmation and Subscription of the said Declaration the Judge is empowered to administer and take; and the taking of such Affirmation, and the subscribing of such Declaration, shall be in such Manner and Place, and at such Times and Hours and such Entries made thereof, and for the same Fees, and under the same Penalties, as mentioned in 13 Geo. 2. c. 7. (See No. 8.) 20 Geo. 2. c. 44. § 1.

Persons naturalized by virtue of

10. No Persons, except Quakers, and such as profess the Jewish Religion, shall be naturalized by virtue of these

these Acts, unless they shall have received the Sacrament of the Lord's Supper in some Protestant and Reformed Congregation within this Kingdom, or within some of the said Colonies in America, within Three Months next before their taking and subscribing the said Oaths, or making such Affirmation, and making and subscribing the said Declaration, and who shall at the Time of taking and subscribing the said Oaths, and making and subscribing the said Declaration, produce a Certificate signed by the Person administering the said Sacrament, and attested by Two credible Witnesses, whereof an Entry shall be made in the Secretary's Office of the Colony wherein such Persons shall so reside, as also in the Court where the said Oaths shall be so taken, without any Fee or Reward. 13 Geo. 2. c. 7. § 2. 20 Geo. 2. c. 44. § 2.

these Acts must receive the Sacrament, except Quakers and Jews.

11. Whenever any Person professing the Jewish Religion shall present himself to take the Oath of Abjuration, the Words ("upon the true Faith of a Christian") shall be omitted, and the taking and subscribing the said Oath by such Person professing the Jewish Religion without the Words aforesaid, and the other Oaths appointed by the said Act, in like Manner as Jews were permitted to take the Oath of Abjuration, shall be deemed a sufficient taking the Oaths to entitle him to the Benefit of being naturalized. 13 Geo. 2. c. 7. § 3.

Jews taking the Oath of Abjuration.

12. A Testimonial or Certificate under the Seal of any of the said Colonies, of any Person's having resided there for Seven Years or more, to be specified in such Certificate, together with the particular Time of Residence in each Colony (whereof the Colony, under the Seal of which such Certificate shall be given, shall be one), and of his having taken and subscribed the said Oaths or Affirmation, and made and subscribed the said Declaration; and in case of a Quaker, of his having made and subscribed the Declaration of Fidelity, and taken and affirmed the Effect of the Abjuration Oath; and in the Case of a Person professing the Jewish Religion, of his having taken the Oath of Abjuration as aforesaid, within the same Colony under the Seal whereof such Certificate shall be given, shall be deemed to be a sufficient Testimony and Proof thereof, and of his being a natural-born Subject of Great Britain to all Intents and Purposes, and as such shall be allowed in every Court within Great Britain and Ireland, or in the said Colonies in America. 13 Geo. 2. c. 7. § 4.

Certificate of Qualification as British Subjects.

Lists of Persons qualified to be entered in a Book.

13. Secretaries of the said Colonies shall at the End of every Year transmit to the Office of the Commissioners for Trade and Plantations, kept in the City of London or Westminster, a true and perfect List of the Names of every Person who have in that Year entitled themselves to the Benefit of this Act, under the Forfeiture of £50 for every Neglect or Omission, which Lists shall be regularly entered by the said Commissioners in a Book to be kept for that Purpose in the said Office, for public View and Inspection. 13 Geo. 2. c. 7. § 5.

Protestants having served in the Royal American Regiment, or as Engineers, deemed British Subjects.

14. All Foreign Protestants, as well Officers as Soldiers, who have served in the Royal American Regiment, or as Engineers in America, for Two Years, and shall take and subscribe the Oaths, and make, repeat, and subscribe the Declaration before mentioned (See Articles 8 & 9.), and shall at the Time of subscribing the said Oaths, and making and subscribing the said Declaration, produce Certificates, signed in Manner before directed, of their having received the Sacrament in some Protestant and Reformed Congregation within Great Britain, or some of the said Colonies in America, within Six Months before that Time, shall be deemed to be His Majesty's natural-born Subjects to all Intents and Purposes, as if they had been born within this Kingdom. 2 Geo. 3. c. 25. § 1.

Children of Persons liable to the Penalties of Treason or Felony, or in the Service of a Foreign Prince, deemed Aliens.

15. But not to naturalize any Children whose Fathers at the Time of the Birth of such Children were attainted of High Treason, or liable to the Penalties of High Treason or Felony in case of their returning to this Kingdom, or whose Fathers at the Time of the Birth of such Children were or shall be in the actual Service of any Foreign Prince or State in Enmity with the Crown of Great Britain, all which Children shall remain in the same State and Condition as they would have been if these Acts had not been made. 13 Geo. 2. c. 7. 20 Geo. 2. c. 44. 2 Geo. 3. c. 25.

May hold Offices or Places of Trust and Grant of Lands except in Great Britain and Ireland.

16. Every Person who has or shall become His Majesty's natural-born Subject by virtue of these Acts, shall be deemed to be capable of holding any Office or Place of Trust, either Civil or Military, and of holding any Grant of Lands, Tenements, and Hereditaments from the Crown to himself, or to any others in Trust for him, as well under the Great Seal of Great Britain as otherwise (except Offices and Places, and Grants of Land, Tenements, and Hereditaments within Great Britain

Britain and Ireland), but shall not be thereby enabled to be of the Privy Council or a Member of Parliament. 2 Geo. 3. c. 25. § 6. 13 Geo. 3. c. 25. §. 1.

Subjects of the United States with their Families, coming to settle in certain Colonies of His Majesty, may import Furniture, Utensils of Husbandry, and Clothing, Duty free.

17. Any Subject of the Territories belonging to the United States of America, who shall come from thence together with his Family to any of the Bahama or Bermuda or Somers Islands, or to the Province of Quebec or Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there, having obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor of the said Islands, Colonies, or Provinces respectively, may import into the same, in a British Ship owned by His Majesty's Subjects, and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of £50 for every White Person that shall belong to such Family, and the Value of 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

Persons who may become qualified to be Masters of British Ships, Seamen, or Mariners.

18. No Person shall be deemed qualified to be the Master of a British Ship, or to be a British Seaman or Mariner, within the Meaning of any Act now in force, except the natural-born Subjects of His Majesty, or Persons naturalized by Act of Parliament, or made Denizens by Letters of Denization, or except Persons who have become His Majesty's Subjects by virtue of Conquest or Cession of some newly acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into His Majesty's Possession, except as is herein-after provided. 34 Geo. 3. c. 63. § 6.

Serving Three Years on board Ships of War deemed British under particular Restrictions and Regulations.

19. Every Foreign Seaman or Mariner who has served or who shall serve on board any of His Majesty's Ships of War, in Time of War, for Three Years, either in the same Ship or in different Ships, and who shall have obtained a Certificate from the Captain or Captains thereof, or, in case of Death, upon the Certificate of the Officer who shall have been next in Rank to such Captain, testfying that he has so served, and his faithful Service and good Behaviour during the Time of such Service, and who shall also have taken the Oath of Allegiance to His Majesty before some Justice of the Peace or Principal

Magistrate of some City or Town in His Majesty's Dominions, or before the Principal Officer of His Majesty's Customs in any of His Majesty's Dominions, and who shall obtain a Certificate from such Justice of the Peace, Principal Magistrate, or Chief Officer, of his having taken such Oath (which Certificate they are required to give upon Payment of One Shilling), shall be entitled to be employed as a Master of a British Ship, or as a British Seaman or Mariner on board any British Ship, within the Meaning of any of the Laws now in force; but no such Foreigner shall be entitled to become Master of any British Ship or to be employed as a British Seaman or Mariner, unless he shall have delivered the before-mentioned Certificate or Certificates of the Time he shall have served, and of his faithful Service and good Behaviour, and the before-mentioned Certificate of his so having taken the Oath of Allegiance, to the Collector or other Chief Officer of His Majesty's Customs in London, Chatham, Portsmouth, or Plymouth, or in Dublin, Cork, Galway, or Londonderry, to be filed by such Collector or other Chief Officer of the Customs, who are required to deliver to such Foreign Sailor, Seaman, or Mariner, an attested Copy thereof upon paying One Shilling. 34 Geo. 3. c. 68. § 7. 42 Geo. 3. c. 61. § 8.

Persons taking Oath of Allegiance to a Foreign Sovereign or State not to be deemed British Subjects, unless such Oath was taken before their Qualification, except in certain Cases.

20. No Person qualified to be the Master of a British Ship, or a British Sailor, Seaman, or Mariner, by Birth, Naturalization or Denization, Conquest, or Service, in manner before-mentioned, and who shall take any Oath of Allegiance to any Foreign Sovereign or State, for any Purpose except under the Terms of some Capitulation, upon the Conquest of any of the Dominions of His Majesty by the Enemy, for the Purpose of obtaining the Benefit of such Capitulation only, shall be deemed to be qualified to be the Master of a British Ship, or a British Sailor, Seaman, or Mariner, within the Meaning of any of the Laws of Navigation, unless such Person shall have taken such Oath of Allegiance before he became so qualified; and any Person who shall, after having become disqualified by taking such Oath of Allegiance, take the Command of any British Ship, shall for every Offence forfeit £100; and every Person who shall, after having become so disqualified, engage to serve as a British Sailor, Seaman, or Mariner on board any such Ship, shall forfeit for every Offence £10; such Forfeitures to be recovered upon Conviction before a Justice of the [illegible], if any such

such Offence shall be committed in Great Britain, and before any Member of the Supreme Court of Justice or any Justice of the Peace, if such Offence shall be committed in Guernsey, Jersey, or Man, or in any Colony, Plantation, or Territory to His Majesty belonging in America; but no Ship on board whereof any Person disqualified shall be employed as Master, Seaman, or Mariner, shall be forfeited by reason thereof, if the Owners shall shew that the Disqualification of the Master was unknown to such Owners or to their Agent, and that the Disqualification of the Seaman or Mariner was unknown to such Owners or to their Agent, and to the Master of such Ship, at the Time of engaging such Person so disqualified; and in the Navigation on the Seas of America and the West Indies, from any Port of America and the West Indies to any Port of America and the West Indies, any Negroes belonging to Persons having become His Majesty's Subjects as aforesaid and with the Qualifications aforesaid, and in the Seas to the Eastward of the Cape of Good Hope, from any Port to the Eastward of the Cape of Good Hope to any other Port to the Eastward of the Cape of Good Hope, Lascars and other Natives of any of the Countries to the Eastward of the Cape of Good Hope, may be employed as British Sailors, Seamen, or Mariners, in manner heretofore practised. 34 Geo. 3. c. 68. § 8.

Ships not forfeited if Disqualification unknown to Owners and Master respectively.

Negroes may be employed in Navigation on the Seas of America and the West Indies.

21. But nothing in this Act shall extend to take away or restrain the Effect of any Proclamation His Majesty may make by virtue of 13 Geo. 3. c. 2. (See No. 6.) 34 Geo. 3. c. 68. § 9.

Proclamation under 13 Geo. 3. c. 2.

Almonds, Amber, Anchovies, Aniseed,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See Gibraltar.
Malta.

The

Antigua.

A Free Port.

The Port of Saint John's in Antigua, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Antonio.

A Free Port.

One of the Free Ports in Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 5 Geo. 3. c. 57.

See FREE PORTS.

Apprentices.

Must be taken on board Ships trading to the West Indies.

Every Master of any Merchant Ship trading to His Majesty's Colonies and Plantations in the West Indies, shall have on board, at the Time of clearing out from Great Britain, One Apprentice under the Age of 17 Years, duly indentured for Three Years, for every 100 Tons Admeasurement, according to the Certificate of Registry; and the Indenture of every Apprentice shall be enrolled at the Custom-house of the Port from whence such Ship shall clear out, with the Collector or Comptroller, within One Month after the Execution thereof; and such Apprentice shall be exempt from serving in His Majesty's Navy for Three Years from the Date of the Indenture; and the Owners or Master neglecting to enrol the Indenture shall forfeit £10. One Moiety by the Owners, and the other by the Master. 37 Geo. 3. c. 73. § 4.

Argol,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Artificers.

British Artificers and Manufacturers using or teaching.

If any of the King's Subjects within this Kingdom, being an Artificer or Manufacturer of or in Wool, Iron, Steel, Brass, or any other Metal, Clockmaker, Watch-

maker,

maker, or any other Artificer or Manufacturer of Great Britain, shall go into any Country out of His Majesty's Dominions, there to use or teach any of the said Trades or Manufactures to Foreigners, or shall not return within Six Months after warning given him by the British Ambassador, Minister, or Consul, or any Person authorized by him, or by a Secretary of State, and from thenceforth continually inhabit in this Realm, he shall be deemed an Alien. 5 Geo. 1. c. 27. § 3.

their Art in a Foreign Country deemed Aliens.

Ashes (Pot and Pearl).

1. No Pot or Pearl Ashes of the Production or Manufacture of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Must be brought to Great Britain or Ireland, or some British Plantation.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of £1,000 if the Ship be of less Burthen than 100 Tons, and of £2,000 if of greater Burthen, conditioned, that in case the said Ship shall load any Pot or Pearl Ashes, or any enumerated Article (for the whole of which See "Goods Enumerated," No. 1.), at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, the Danger of the Seas only excepted. And for every Ship coming from any other Port or Place to any of the aforesaid Plantations, which are permitted to trade there, the Governor shall, before the Ship be permitted to load any Pot or Pearl Ashes (or any enumerated Article), take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bond to be given not to land elsewhere.

3. The Master before he departs from any British Plantation, where he receives his Lading, shall take a Certificate

Certificate to be taken by the Masters of Ships.

Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs there, that Bond hath been given pursuant to the Directions aforesaid, and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Plantation, on Forfeiture of £100. 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1, 3. 33 Geo. 3. c. 63. § 2. 39 & 40 Geo. 3. c. 67. Art. 6.

Forfeiture if shipped before Bond given, or if carried to other Places.

4. If any Ship shall take on board any Pot or Pearl Ashes (or other enumerated Article) before Bond is given to the Governor that the Ship shall carry the said Articles to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland, that such Bond has been there duly given, or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place, other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on shore, every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

But not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demarara, Berbice, or Essequibo, in the Province of Guiana, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4, 8: *See* Guiana.

Governors or Officers suspecting Certificates to be false not to cancel Bonds, and Penalty on falsifying Certificates.

6. In Cases where the Governor or Officers in any of the Plantations shall have reasonable Ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security

rity given in the Plantations, until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Penalty on Officers suffering Goods to be carried to other Places.

7. If any Officer of the Customs in Great Britain or Ireland shall give any Warrant for or suffer any Pot or Pearl Ashes (or any enumerated Article) to be carried into any other Country or Place, until they have been first put on shore in some Port in Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

8. The Governors or their Commanders in Chief of the said Plantations, are Once a Year at least, to return to the Officers of the Customs in London, or to such other Person as His Majesty shall appoint to receive the same, a List of all Ships as shall have laden any Pot or Pearl Ashes (or any enumerated Article) in such Plantations, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations shall be found to have unloaded in any Port of Europe, other than Great Britain or Ireland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition of Bond, and who are to be the Obligors when taken in the Plantations.

9. In all Bonds to be taken in the Plantations, the Persons therein named shall be of known Residence and Ability there for the Value mentioned in the Bond, the Condition of which shall be, within 18 Months after the Date thereof (the Danger of the Seas excepted), to produce a Certificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ireland, otherwise such Bond or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

10. In

Ashes (Pot and Pearl).

When taken in Great Britain or Ireland.

10. In all Bonds which shall be entered into in Great Britain or Ireland, in pursuance of any Act, whereby the Goods therein enumerated are to be brought to Great Britain or Ireland, such Bonds shall be with Condition that, within 18 Months from the Date thereof (the Danger of the Seas excepted), a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bonds void if not prosecuted within Two Years of the Date, or if Judgment not obtained within Two Years after Pro ecution.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced and Judgment to be obtained within the Times limited) shall be void, and all Bonds so void shall be delivered up by the Officers, to be cancelled, without Fee or Reward. 8 Ann. c. 19. § 29. 4 Geo. 3. c. 15. § 27.

Assistance. See "Writs of Assistance."

Azores.

Wines may be imported from thence;

1. Wines of the Growth of the Azores may be there laden for Exportation to any of the Plantations, Colonies, or Territories to His Majesty belonging or in His Possession in America. 15 Car. 2. c. 7. § 6.

also Oranges and Lemons.

2. Oranges and Lemons, the Produce of the Azores, may be shipped there for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports in British-built Ships owned, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

Bahamas and Bermuda.

No Goods to be imported from the United States, except the Articles hereinmentioned, and those only in British Ships;

1. No Goods shall be imported from any of the Territories belonging to the United States of America into the Bahama or Bermuda or Somers Islands, on Forfeiture thereof and the Ship, except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Headingboards, Timber, Shingles, and Lumber of any Sort,

Horses,

Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, such Commodities being the Growth or Production of any of the Territories of the United States, but not to be so imported, except by British Subjects, and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 1, 2.

and except certain Articles brought by Settlers in such Shipping.

2. Except also Household Furniture, Utensils of Husbandry, and Clothing, by Subjects of the United States, who shall come from thence, together with their Families, for the Purpose of residing and settling in the Islands, having first obtained a Licence for that Purpose from the Governor, or, in his Absence, the Lieutenant Governor of the Islands respectively; provided such Household Furniture, &c. are imported in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the whole the Value of £50 for every White Person that shall belong to the Family, and 40s. for every Negro there brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

Certain Articles may be imported in Foreign Ships into St. George and Hamilton;

3. Any of the Articles enumerated in 28 Geo. 3. c. 6. (See No. 1.) may be imported into the Port of St. George or the Port of Hamilton in Bermuda, from the United States, in any Foreign Vessel belonging to any Country in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50. § 1.

also Fruit and Vegetables.

4. In addition to the said Articles, it shall be lawful to import from the United States, in Ships of the Description mentioned in the said Acts, (Nos. 1. and 2.) and under the like Regulations, Penalties, and Forfeitures, Fruit and Vegetables, being the Produce of the said States. 57 Geo. 3. c. 28. § 1.

The like Articles not permitted to be imported from Colonies under Foreign European Sovereigns, except in Cases of Emergency, and from Portuguese Colonies, Trinadado and Porto Rico.

5. None of the Articles enumerated in 28 Geo. 3. ch. 6. shall be imported into the Bahama, Bermuda, or Somers Islands, from any Island in the West Indies, or any Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof, and of the Ship, except by Authority of the respective Governors, in case of public Emergency or Distress, for the Supply of the Inhabitants; except also from the Territories or Dominions belonging to the Crown of Portugal in South America,

America, or from the Free Ports, and except certain Articles from Trinidado and Porto Rico. 28 Geo. 3. c. 6. § 10, 11. 31 Geo. 3. c. 38. § 1. 33 Geo. 3. c. 50. § 12. 45 Geo. 3. c. 57. § 2. 51 Geo. 3. c. 47. § 5.

See FREE PORTS.
UNITED STATES.

Articles imported for the Supply of the Inhabitants, not to be exported; and before shipping Articles of the like Sort, Proof to be made that they were not imported for such Supply.

6. None of the Articles enumerated in 28 Geo. 3. c. 6. (See No. 1.) which have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into the Bahama, Bermuda, or Somers Islands, for the Supply of the Inhabitants, shall be exported from the said Islands, or put on board any Vessel or Boat, or brought to any Quay, with intent to be so exported, on Forfeiture thereof, and of the Vessel or Boat in which laden; and before shipping any Article of the like Denomination or Description, whether in a manufactured or unmanufactured State, that may lawfully be exported from the said Islands, the Exporter shall make Oath that the same or any Part thereof had not been imported, for the Supply of the Inhabitants, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4.

False Oaths deemed Perjury.

7. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

American Ships in Ballast may be laden with Salt in Turks Island.

8. Any Ship belonging to the Inhabitants of the United States of America, coming in Ballast and not otherwise, may enter the Ports of Turks Island, for the Purpose of being there laden with Salt only. 28 Geo. 3. c. 6. § 5.

Masters to report and answer Questions respecting the Voyage.

9. The Master of such Ship shall, immediately after the Arrival in any Port in the said Islands, make a just and true Entry of his Ship upon Oath before the Collector or other principal Officer, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the Port, in order that such Ship may undergo the Search and Examination of the proper

Officers of the Customs; and such Master shall truly answer upon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other principal Officer, upon Forfeiture of £100. 28 Geo. 3. c. 6. § 6.

A Tonnage Duty to be paid, and how the Tonnage to be ascertained.

10. There shall be paid, for the Use of His Majesty, a Tonnage Duty of 2s. 6d. Sterling in Dollars, at the Rate of 5s. 6d. per Ounce, for every Ton of every such Ship, and the Tonnage shall be ascertained by such Officers as shall be appointed by the Commissioners of the Customs or any Four of them, who shall admeasure such Ship according to the following Method, viz.

"Drop a Plumb Line over the Stern of the Ship, and "measure the Distance between such Line and the "after Part of the Stern Post at the Load Water "Mark; then measure from the Top of the said "Plumb Line, in a parallel Direction with the "Water, to a perpendicular Point immediately over "the Load Water Mark, at the fore Part of the "Main Stern, subtracting from such Measurement "the above Distance, the Remainder will be the "Ship's extreme Length, from which is to be de-"ducted Three Inches for every Foot of the Load "Draught of Water for the Rake abaft, and also "Three-fifths of the Ship's Breadth for the Rake "forward, the Remainder shall be esteemed the just "Length of the Keel to find the Tonnage, and the "Breadth shall be taken from Outside to Outside of "the Plank in the broadest Part of the Ship, either "above or below the Main Wales, exclusive of all "manner of Sheathing or Doubling that may be "wrought upon the Side of the Ship; then mul-"tiply the Length of the Keel for Tonnage by the "Breadth so taken, and that Product by half the "Breadth, and dividing by 94, the Quotient shall "be deemed the true Contents of the Tonnage."

28 Geo. 3. c. 6. § 7.

Receipt and Appropriation of the Duty.

11. The Tonnage Duty shall be paid to the Collector of the Customs, at the Port where he shall be appointed to reside, before any Salt shall be laid on board, and such Duty shall be under the Management of the said Commissioners, and be paid and recovered in the like manner and under such Penalties and Forfeitures as any other Duties payable to His Majesty on Goods imported into any of the Plantations, Colonies, or Territories belonging

to or under the Dominion of His Majesty in America or the West Indies are paid and recovered, and shall be subject to the Payment of the Salaries of the Officers and other incidental Charges of the Port; and the Residue shall be remitted to the Receiver General of the Customs in England, to be paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

Only certain Articles may be exported from the Turks Island.

12. No Goods shall be exported from Turks Island to any Part of His Majesty's Dominions in America or the West Indies, or be laden or laid on board any Ship for that Purpose, except Salt; and no Goods shall be exported from the said Islands to Great Britain or Ireland, or laid on board any Ship for that Purpose, except Salt, and except such Goods as may be imported into Great Britain or Ireland from all other Countries free of Duties, under the Forfeiture of such Goods as shall be so exported or laden, and also of the Ship. 28 Geo. 3. c. 6. § 9.

American Ships may enter in Ballast certain Ports to be laden with Salt.

13. Until 25th March 1319, any Ship belonging to the United States coming in Ballast, and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exuma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt only, subject to the Rules, Regulations, and Restrictions provided by the 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turks Island. 57 Geo. 3. c. 42. § 1.

Articles which may be imported into certain Ports in Ships owned and navigated by Inhabitants of Colonies belonging to Foreign European States.

14. Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic, Woods for Dyers Use, Hides, Skins, Tallow, Furs, Tortoise Shell, Hardwood or Mill Timber, Mahogany Wood for Cabinet Ware, Horses, Asses, Mules, Cattle, Corn, Bullion, Diamonds, Precious Stones, Rice, Grain, and Flour, may be imported into New Providence, Crooked Island, Bermuda, and the Bahamas, in any Foreign Ship, being owned and navigated by Persons inhabiting any of the Colonies, Plantations, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 47 Geo. 3. c. 34. 48 Geo. 3. c. 125. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See Free Ports.

Certain Ports for the Importation of Sugar

15. Sugar and Coffee of any Foreign Colony or Plantation may be imported into Nassau in New Providence,

Pitt's

Pitt's Town, or Crooked Island, and into such Ports in the Bahama Islands, the principal Port in Bermuda, and such Ports in the Caicos as shall be approved by His Majesty, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods therein enumerated; and such Sugar and Coffee may be so imported and exported without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

and Coffee in Foreign Ships, and the Exportation thereof.

See FREE PORTS.

16. Any Ship described in 45 Geo. 3. c. 57. may come in Ballast, or import into any Port of the Bahama Islands where there is a Custom-house, the Articles enumerated in the said Act, and may export the Articles allowed by the said Act to be so exported in Foreign Ships, and may also export Salt, subject to the Duty of Tonnage, and under the Regulations of 28 Geo. 3. c. 6.—52 Geo. 3. c. 99. § 1.

Other Articles which may be imported into and exported from the Bahamas.

See FREE PORTS.

SALT.

17. Any British Ship owned and navigated according to Law may export from any Port of the Bahama Islands any Quantity of Salt, without entering into the Bond and Security required by 6 Geo. 3. c. 52.—52 Geo. 3. c. 99. § 2.

Exportation of Salt without Bond.

See GOODS NON-ENUMERATED.

18. Spirits, being the Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally imported into Bermuda, may be exported to the Province of Lower Canada, and admitted to Entry on Payment of the same Duty as if imported directly from any of His Majesty's Sugar Colonies in the West Indies, and under the Conditions and Restrictions of 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from the said Sugar Colonies. 49 Geo. 3. c. 16. § 1.

Exportation of Spirits from Bermuda to Canada.

See SPIRITS.

19. Such Spirits legally imported into Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, or Newfoundland, from Bermuda, may be exported to Lower Canada, and admitted to Entry upon Payment of the same Duty as if imported directly from any of His Majesty's Sugar Colonies under the Regulations of this Act. 51 Geo. 3. c. 48. § 1.

From North American Colonies to Canada.

See SPIRITS.

20. Such Spirits legally imported into Bermuda from His Majesty's Sugar Colonies in the West Indies, may be exported to Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, or Newfoundland, and admitted to Entry upon the same Duty as if imported directly from any of His Majesty's said Sugar Colonies, and under the Conditions and Restrictions contained in 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner

From Bermuda to certain North American Colonies.

ner as if imported directly from the said Sugar Colonies. 51 Geo. 3. c. 62. § 1, 2.

See SPIRITS.

Exportation of certain Articles to the United States in Foreign Ships from Bermuda:

21. Sugar, Coffee, Rum, and Molasses, the Produce of any British Colony in the West Indies, imported into Bermuda in any British Ship, may be exported from the Port of St. George or the Port of Hamilton in Bermuda, to the Territories of the United States, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. § 1. 57 Geo. 3. c. 28. § 1.

Other Articles allowed to be imported and exported.

21 a. In addition to the Articles enumerated in 52 Geo. 3. c. 79. 53 Geo. 3. c. 50. and 57 Geo. 3. c. 28. it shall be lawful to import from the United States into the Ports mentioned in the said Acts, in Vessels of the Description therein stated, and under the Restrictions, Penalties, and Forfeitures provided in the said Acts, the Article of Rosin being the Produce or Manufacture of the said States; and, in addition to the Articles permitted to be exported by the said Acts, to export from Bermuda to the said States, in such Vessels and under such Regulations as aforesaid, all Articles the Produce or Manufacture of the said Island and all Articles whatever which shall have been legally imported into the same in any British Ship or Vessel. 59 Geo. 3. c. 55.

Exportation of certain Articles of the United States to West Indies in British Ships.

22. Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards, and Plank Timber, Shingles, and Lumber of any Sort, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Production of the Territories belonging to the United States, legally imported into St. George or Hamilton in Bermuda, may be exported from the said Ports by any of His Majesty's Subjects to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 3. 53 Geo. 3. c. 50. § 1.

Other Articles to Malta and Gibraltar.

23. Any Article the Production or Manufacture of Bermuda, or which has been legally imported into Bermuda, may on certain Conditions be exported direct to Malta, or the Dependencies thereof, or to Gibraltar. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Articles from Malta or Gibraltar.

24. Certain Articles enumerated in the Schedule marked (B.) of 55 Geo. 3. c. 29. may be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to Bermuda, under the Regulations and Restrictions therein mentioned. 55 Geo. 3. c. 29. § 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

The

The Port of Bridgtown in Barbadoes, one of the Ports for the Importation and Exportation of certain Articles in Foreign Vessels. 15 Geo. 3. c. 57.

Bridgtown a Free Port.

See FREE PORTS.

Beaver Skins. See "Furs."

Berbice. See "Guiana."

Bills at Sight.

All Foreign Goods which the Officers of the Customs shall permit to be landed, and taken up by Bills at Sight, Bills at View or Sufferance, shall be landed at the most convenient Keys or Wharfs, and not elsewhere; and there or in His Majesty's Storehouse of the Ports, at the Election of the Officers, shall be measured, weighed, and numbered by and in their Presence; which Officers shall perfect the Entry, and thereunto subscribe their Names, and the next Day shall give Account and make Report of every Entry so perfected to the Collector and Comptroller, or in Default thereof shall forfeit £100, unless reasonable Cause can be shewn for the Omission. 13 & 14 Car. 2. c. 11. § 21. 7 & 8 W. 3. c. 22. § 6.

Foreign Goods landed and examined by Bill at Sight; Officers to perfect the Entry.

Biscuit. See "Provisions."

Botargo,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Box Wood. See "Wood."

Bowsprits. See "Wood."

Bread. See "Provisions."

Bridgetown.

One of the Free Ports in the British Plantations for the Importation and Exportation of certain Articles in Foreign Ships. 57 Geo. 3. c. 74.

See FREE PORTS.

Brimstone,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Britain.

The Union of England and Scotland;

1. England and Scotland united into One Kingdom, by the Name of "Great Britain," and all the Subjects thereof, shall have full Freedom and Intercourse of Trade and Navigation within all the Dominions thereunto belonging. 5 Anne, c. 8. § 1.*

also of Great Britain and Ireland.

2. Great Britain and Ireland united into One Kingdom, by the Name of "The United Kingdom of Great Britain and Ireland," and all the Subjects thereof shall be on the same Footing, as to Encouragements and Bounties on the like Articles, being the Produce or Manufacture of either Country respectively, and generally in respect of Trade and Navigation in all Ports and Places in the United Kingdom and its Dependencies; and in all Treaties with any Foreign Power, His Majesty's Subjects of Ireland shall have the same Privileges, and be on the same Footing, as His Majesty's Subjects of Great Britain. 39 & 40 Geo. 3. c. 67. Art. 6.†

British Subjects.

Teaching Trades or Manufactures in Foreign Countries.

1. Any of the King's Subjects, being Artificers or Manufacturers of Great Britain, going to Countries out

---

* *By virtue of this Act, the Words "England" and "English," in the several Acts made before the Union with Scotland, are in the Digest changed into the Words "Great Britain" and "British."*

† *This Act for the Union of the Two Countries was agreed to by the Parliament of Ireland, by Act* 40 *Geo.* 3. *c.* 38. *in which there is a similar Article.*

of

of His Majesty's Dominions, to use or teach their Trades or Manufactures to Foreigners, or not returning after Warning given them, are deemed Aliens. 5 Geo. 1. c. 27. § 8.

See ALIENS

2. The Children of Natural-born Subjects, born out of the Legiance of the Crown of Great Britain, shall be entitled to the Rights and Privileges of Natural-born Subjects of Great Britain, and shall be taken to be Natural-born Subjects, as if born in this Kingdom; provided that nothing in these Acts shall repeal or alter 5 Geo. 1. c. 27. as to Artificers and Manufacturers. 7 Ann. c. 1. § 3. 4 Geo. 2. c. 21. § 1. 6. 13 Geo. 3. c. 21. § 1. 3.

Children of the King's Subjects born out of the Legiance of His Majesty to be deemed British:

See ALIENS, No. 3.

3. Persons born out of the Legiance of the Crown of Great Britain are not to be deemed Natural-born Subjects, whose Fathers at the Time of the Birth of such Children were attainted of High Treason, or liable to the Penalties of High Treason or Felony in case of returning to this Kingdom, or whose Fathers at the Time of the Birth of such Children were or shall be in the Service of any Foreign Prince or State then in Enmity with Great Britain. 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. §. 2. 13 Geo. 3. c. 21 § 2.

But Children of Persons liable to the Penalties of Treason or Felony, or being in the Service of a Foreign Prince, are deemed Aliens.

4. As to the Naturalization of Aliens, and how they may become entitled to be employed as Masters, Seamen, or Mariners of British Ships,

See ALIENS.

Naturalization of Aliens.

Bullion,

1. May be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel owned and navigated by Persons inhabiting any of the said Colonies or Plantations or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

May be imported into the Free Ports in Foreign Vessels.

See FREE PORTS.

2. May be exported from Malta or any of the Dependencies thereof or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or

Importation allowed from Malta or Gibraltar.

to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Caicos.

May be approved for importing Sugar and Coffee.

His Majesty authorized to approve Ports in these Islands for the Importation of Sugar and Coffee in Foreign Ships. 45 Geo. 3. c. 57. § 4.

See FREE PORTS.

Canada.*

The Boundary and Limits of the Province of Quebec.

1. All the Territories, Islands, and Countries in North America belonging to the Crown of Great Britain, bounded on the South by a Line from the Bay of Chaleurs along the High Lands which divide the Rivers that empty themselves into the River Saint Lawrence, from those which fall into the Sea, to a Point, in Forty-five Degrees of Northern Latitude, on the Eastern Bank of the River Connecticut, keeping the same Latitude directly West through the Lake Champlain, until in the same Latitude it meets the River Saint Lawrence, from thence up the Eastern Bank of the said River to the Lake Ontario, thence through the Lake Ontario, and the River commonly called Niagara, and thence along by the Eastern and South-eastern Bank of Lake Erie, following the said Bank until the same shall be intersected by the Northern Boundary granted by the Charter of the Province of Pensylvania, in case the same shall be so intersected, and from thence along the said Northern and Western Boundaries of the said Province, until the said Western Boundary strike the Ohio; but in case the said Bank of the said Lake shall not be found to be so intersected, then following the said Bank until it shall arrive at that Point of the said Bank which shall be nearest to the North-western Angle of the said Province of Pensylvania,

* *At the Time of the Capture of this Province, it was denominated "Quebec," and so described in many Acts, until the* 31 *Geo.* 3. *c.* 31. *by which it appears that His Majesty divided it into Two Provinces, to be thereafter called "Upper Canada and Lower Canada."*

and

and thence by a right Line to the said North-western Angle of the said Province, and thence along the Western Boundary of the said Province, until it strike the River Ohio, and along the Bank of the said River Westward to the Banks of the Mississippi, and Northward to the Southern Boundary of the Territories granted to the Merchants Adventurers of England trading to Hudson's Bay; and also all such Territories, Islands, and Countries which have, since the Tenth of February 1763, been made Part of the Government of Newfoundland, shall be annexed to and made Part of the Province of Quebec, as created and established by the Royal Proclamation of the Seventh October 1763. 14 Geo. 3. c. 83. § 1. Royal Proclamation in 1763.

2. But nothing herein contained, relative to the Boundary of the Province of Quebec shall in anywise affect the Boundaries of any other Colony. 14 Geo. 3. c. 83. § 2. Boundary of other Colonies;

3. And nothing in this Act shall extend to make void or to alter any Right, Title, or Possession derived under any Grant, Conveyance, or otherwise, of any Lands within the said Province, or the Provinces thereto adjoining. 14 Geo. 3. c. 83. § 3. not to affect any Right to Grants of Lands, &c.

4. Such Parts of the Coast of Labrador, from the River Saint John to Hudson's Streights, and the Island of Anticosti, and all other smaller Islands annexed to the Government of Newfoundland by the Proclamation of the Seventh of October 1763, except the Islands of Madelaine, but afterwards annexed to Canada by 14 Geo. 3. c. 83. shall be separated from Canada, and be annexed to the Government of Newfoundland. 49 Geo. 3. c. 27. § 14. Parts of the Coast separated from Canada.

5. His Majesty's Subjects professing the Religion of the Church of Rome, of and in the said Province of Quebec, may enjoy the free Exercise of the Religion of the said Church, subject to the King's Supremacy, declared and established by 1 Elizabeth, c. 1. over all the Dominions and Countries which then did or thereafter should belong to the Imperial Crown of this ..ealm. 14 Geo. 3. c 83. § 5. Free exercise of Religion.

6. No Person professing the Religion of the Church of Rome, and residing in the said Province, shall be obliged to take the Oath required by the said Statute, or any other Oaths substituted by any other Act in the Place thereof; but every such Person who by the said Statute is required to take the Oath therein mentioned, shall take and Oath of Persons profeffing the Religion of the Church of Rome.

and subscribe the following Oath before the Governor, or such other Person in such Court of Record as His Majesty shall appoint, viz.

'I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George, and him will defend, to the utmost of my Power, against all traiterous Conspiracies and Attempts whatsoever which shall be made against his Person, Crown, and Dignity; and I will do my utmost Endeavour to disclose and make known to His Majesty, His Heirs and Successors, all Treasons and traiterous Conspiracies, and Attempts which I shall know to be against him or any of them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations, from any Power or Person whomsoever to the contrary. So help me GOD.' 14 Geo. 3. c. 83. § 7.

Disability for not taking the Oath.

7. Every such Person who shall neglect or refuse to take the Oath before mentioned, shall be liable to the same Penalties, Forfeitures, Disabilities and Incapacities, as he would have been liable to for neglecting or refusing to take the Oath required by 1 Elizabeth. 14 Geo. 3. c. 83. § 7.

His Majesty's Subjects to enjoy their Property and Civil Rights according to the Laws of Canada.

8. His Majesty's Canadian Subjects within the Province of Quebec (the Religious Orders and Communities only excepted) may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, as may consist with their Allegiance to His Majesty, and Subjection to the Crown and Parliament of Great Britain; and in all Matters of Controversy relative to Property and Civil Rights, resort shall be had to the Laws of Canada as the Rule for the Decision of the same; and all Causes that shall hereafter be instituted in any of the Courts of Justice to be appointed within and for the said Province by His Majesty, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of Canada, until they shall be varied or altered by any Ordinances that shall be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, by and with the Advice and Consent of the Legislative Council for the same. 14 Geo. 3. c. 83. § 8.

Lands may be conveyed and bequeathed.

9. Every Owner of any Lands, Goods, or Credits in the said Province, and that has a Right to alienate the

same in his or her Lifetime by Deed of Sale, Gift, or otherwise, may devise or bequeath the same, at his or her Death, by his or her last Will and Testament, such Will being executed either according to the Laws of Canada, or according to the Forms prescribed by the Laws of England. 14 Geo. 3. c. 83. § 10.

Acts regulating Trade or Commerce to remain in force.

10. Provided that nothing in this Act shall make void, within the said Province of Quebec, any Act of the Parliament of Great Britain heretofore made for prohibiting, restraining, or regulating the Trade or Commerce of His Majesty's Colonies and Plantations in America; but the said Acts, and all Acts of Parliament heretofore made respecting the said Colonies and Plantations, shall be in force within the said Province of Quebec and every Part thereof. 14 Geo. 3. c. 83. § 18.

Legislative Council and Assembly may make Laws, not being repugnant to this Act, for the Peace and Government of the Province.

11. Within each of the Provinces of Upper and Lower Canada there shall be a Legislative Council and an Assembly, and His Majesty shall have Power, during the Continuance of this Act, by and with the Advice and Consent of the Legislative Council and Assembly, to make Laws for the Peace, Welfare, and good Government thereof, such Laws not being repugnant to this Act; and all such Laws being passed by the Legislative Council and Assembly of either of the said Provinces, and assented to by His Majesty, or assented to in His Majesty's Name, by such Person as His Majesty shall appoint to be the Governor or Lieutenant Governor of the Province, or by such Person as His Majesty shall appoint to administer the Government within the same, shall be binding to all Intents and Purposes. 31 Geo. 3. c. 31. § 2.

Laws not expressly repealed to remain in force.

12. All Laws and Ordinances in force at the Commencement of this Act, within either of the Provinces, shall continue in force therein, except such as are expressly repealed or varied by this Act, or may hereafter by any Law or Ordinance under the Authority thereof. 31 Geo. 3. c. 31. § 3.

Not to affect former Laws as to Navigation, Commerce, or Revenue, passed by Parliament of Great Britain.

13. Nothing in this Act shall prevent or affect the Execution of any Law which hath been or shall be made by His Majesty and the Parliament of Great Britain, for establishing Regulations or Prohibitions, or for imposing or collecting Duties for the Regulation of Navigation, or for the Regulation of the Commerce to be carried on between the said Two Provinces of Upper and Lower Canada, or between either of the said Provinces and any other of His Majesty's Dominions, or

or between either of the said Provinces and any Foreign Country or State, or for appointing and directing the Payment of Drawbacks of such Duties so imposed, or to give to His Majesty any Power or Authority, by and with the Advice and Consent of such Legislative Councils and Assemblies respectively, to vary or repeal any such Laws or any Part thereof, or in any Manner to prevent or obstruct the Execution thereof. 31 Geo. 3. c. 31. § 46.

Appropriation of Duties.

14. Provided that the Net Produce of all the Duties which shall be so imposed, shall at all Times hereafter be applied to and for the Use of each of the said Provinces, and in such Manner only as shall be directed by any Law which may be made by His Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of such Province. 31 Geo. 3. c. 31. § 47.

Duty on Spirits, Molasses, and Syrups, imported into Quebec.

15. There shall be collected and paid to His Majesty, upon the following Goods imported and brought into any Part of the Province of Quebec, over and above all other Duties now payable in the said Province by any Act of Parliament, the several Duties following; that is to say,

For every Gallon of Brandy or other Spirits of the Manufacture of Great Britain, Three-pence:

For every Gallon of Rum, or other Spirits, which shall be imported from any of His Majesty's Sugar Colonies in the West Indies, Sixpence:

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any other of His Majesty's Colonies or Dominions in America, Nine-pence:

For every Gallon of Foreign Brandy or other Spirits of Foreign Manufacture, imported or brought from Great Britain, One Shilling:

For every Gallon of Rum, or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, imported from any other Place except Great Britain, One Shilling:

For every Gallon of Molasses and Syrups which shall be imported or brought into the said Province, in Ships or Vessels belonging to His Majesty's Subjects in Great Britain or Ireland, or to His Majesty's Subjects in the said Province, Three-pence:

For every Gallon of Molasses and Syrups which shall be imported or brought into the said Province in any other Ships or Vessels in which the same may be legally imported, Sixpence; and after those Rates for any

greater or less Quantity of such Goods respectively. 14 Geo. 3. c. 88. § 1.

Collection and Appropriation.

16. The said Duties shall be deemed to be Sterling Money of Great Britain, and shall be collected and paid to the Amount of the Value which such nominal Sums bear in Great Britain; and may be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and shall be raised and recovered in the same Manner, and by such Rules and Means, and under such Penalties and Forfeitures, (except in such Cases where any Alteration is made by this Act,) as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America are or shall be raised and recovered by any Act of Parliament; and all the Monies that shall arise by the said Duties (except the necessary Charges of raising the same) shall be paid by the Collector of His Majesty's Customs into the Hands of His Majesty's Receiver General in the said Province, and shall be applied, in the first place, in making a more certain Provision towards defraying the Expences of the Administration of Justice, and of the Support of Civil Government, in the said Province; and the Commissioners of His Majesty's Treasury are empowered from Time to Time, by any Warrants under their Hands, to cause such Money to be applied out of the said Produce of the said Duties towards defraying the said Expences; and the Residue of the Duties shall remain and be reserved in the Hands of the said Receiver General, for the future Disposition of Parliament. 14 Geo. 3. c. 88. § 2.

Spirits brought into the Province by Inland Navigation or Land Carriage must pass through certain Places where Duties are to be paid.

17. If any Goods chargeable with the Duties before mentioned shall be brought into the Province by Land Carriage, the same shall be carried through the Port of Saint John's near the River Sorrel; if by other Inland Navigation than the River Saint Lawrence, such Goods shall be carried upon the River Sorrel by the said Port, and there entered, and the Duties paid to such Officer as His Majesty shall appoint; and if any such Goods coming by Land Carriage or Inland Navigation as aforesaid shall pass by or beyond the said Place without Entry and Payment of the Duties, or shall be brought into any Part of the said Province by or through any other Place whatsoever, such Goods shall be forfeited, and the Persons assisting in the Removal, or to whose Hands the Goods shall come, shall forfeit Treble the Value, with the Cattle and Carriage made use of in the Removal. 14 Geo. 3. c. 88. § 3.

18. His

His Majesty's Subjects may bring Spirits into any Parts of the Province.

18. His Majesty's Subjects may freely bring by Land Carriage or Inland Navigation into any Parts of the Province not heretofore comprehended within the Limits thereof by Proclamation of the 7th of October 1763, any Quantity of Rum or other Spirits, notwithstanding the Act 14 Geo. 3. c. 88.—15 Geo. 3. c. 40. § 1.

Ships which have landed Lumber, &c. in the Sugar Colonies may land Spirits in Quebec Duty-free;

19. Where Spirits of the British Sugar Colonies in the West Indies shall be imported into the Province of Quebec from the said Sugar Colonies in any Ship which in her last preceding Voyage had exported to and landed in any of the said Colonies a Cargo of Lumber and Provisions, Horses or Neat Cattle, from the said Province, it shall be lawful to land any Quantity of Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle landed) without Payment of the said Duty of Sixpence per Gallon. 28 Geo. 3. c. 39. § 1.

Ships which intend to load a Cargo of Lumber, &c. for the said Colonies in their next clearing out, may land Spirits Duty-free.

20. Where Spirits, the Produce of any of the said Colonies, imported into Quebec in any Ship which, in her next clearing out from the said Province after such Importation, shall load with a Cargo of Lumber, Provisions, Horses, or Neat Cattle, and which shall carry to and land the same in any of the said Colonies, it shall be lawful to admit to Entry and land any Quantity of such Spirits not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle, so loaded, without Payment of the said Duty of Sixpence per Gallon; provided that the Owner of such Vessel which shall have imported such Spirits, or, in case of his not residing in the said Province, the Master of the Ship, with One or more sufficient Sureties residing within the said Province, shall, before such Spirits be admitted to an Entry, give Bond to His Majesty in £500, with Condition that the Ship shall, on her next clearing out from the said Province, be laden with a Cargo of Lumber, Provisions, Horses, or Neat Cattle, equal in Value to the Spirits admitted to Entry, and that the said Lumber, &c. shall be carried to and landed in some of the said Colonies in the West Indies. 28 Geo. 3. c. 39. § 2.

The Articles must be the Growth of Quebec.

21. The Lumber (except White Oak Staves), Provisions, Horses and Cattle, exported under the Provisions of the said Act, shall be the Growth or Produce of Quebec and no other. 30 Geo. 3. c. 8. § 2.

Value of the Spirits and Lumber, &c to be estimated by

22. The Value of the Spirits and of the Lumber, &c. shall be estimated according to the Valuations contained in the Schedule annexed to this Act; provided that His Majesty,

Majesty, with the Advice of His Privy Council, by Order to be issued and published, may alter the Valuations and Articles contained in the Schedule, whenever it shall appear necessary or proper, upon any Representation or Report of the Governor and Council of the said Province. 53 Geo. 3. c. 37. §1, 2.

the following Schedule.

The SCHEDULE mentioned and referred to in this Act.

	Sterling £	s.	d.	
Flour, 1st Sort	2	—	—	per Barrel of 1 cwt. 3 qrs.
Ditto, 2d Sort	1	17	6	Ditto.
Biscuit	1	—	—	per Cwt.
Wheat	—	5	—	per Bushel.
Pease	—	4	6	per Bushel.
Oats	—	2	—	per Bushel.
Barley	—	3	—	per Bushel.
Flax Seed	—	5	—	per Bushel.
Potatoes	—	1	8	per Bushel.
Indian Corn	—	4	6	per Bushel.
Salted Beef	4	10	—	per Tierce.
Ditto	3	—	—	per Barrel.
Salted Pork	6	15	—	per Tierce.
Ditto	4	10	—	per Barrel.
Butter	—	—	10	per lb.
Soap	—	—	7	per lb.
Mould Candles	—	1	2	per lb.
Dipped Ditto	—	1	1	per lb.
Salmon	2	10	—	per Barrel.
Ditto	5	15	—	per Tierce.
Herrings and Allwives	1	—	—	per Barrel.
Shad Fish	1	5	—	per Ditto.
Dry Cod Fish	—	16	—	per Cwt.
Seal, Porpoise, and Cod Oil	7	—	—	per Hhd. of 63 Galls.
Canadian Porter	3	—	—	per Ditto.
Ditto Burton Ale	3	15	—	per Ditto.
Ditto Mild Ditto	3	—	—	per Ditto.
Onions	1	—	—	per Thousand.
Essence of Spruce	—	1	3	per lb.
Oak Timber Squared	—	1	—	per Cubic Foot.

Oak

Canada.

	Sterling. £	s.	d.	
Oak Plank 3 to 4 Inches thick	—	—	5	per Superficial Foot.
Ditto, 1½ to 2 Inches thick	—	—	3	per Ditto.
Puncheon Staves 3½ Feet long, 4 Inches broad, and 1 Inch thick	10	—	—	per 1200 Pieces.
Puncheon Heading 2½ Feet long, 5 to 6 Inches broad, and 1 Inch thick	10	—	—	per 1000.
Pine Timber Squared	—	—	4	per Cubic Foot.
Pine Boards 12 Feet long and upwards, and 1 Inch thick	2	15	—	per Thousand Superficial Feet
Ditto, 10 Feet long and 1 Inch thick	2	5	—	per Hundred Boards.
Ditto, Ditto, 2 Inches thick	3	7	6	Ditto.
Wooden Hoops 12 Feet long	5	—	—	per Thousand Hoops.
Ditto, 14 Ditto	5	10	—	Ditto.
Ditto, 10 Ditto	4	—	—	Ditto.
Ditto, 7 Ditto	2	10	—	Ditto.
Shingles	—	15	—	per Thousand.
Puncheon Packs	—	12	—	each.
Bar Iron	1	10	—	per Cwt.
Horses	15	—	—	per Head.
Horned Cattle	8	—	—	
Sheep	—	15	—	
Turkeys	—	2	6	
Windward and Leeward Island Rum	—	1	9	per Gallon.
Jamaica Ditto	—	2	—	Ditto.

53 Geo. 3. c. 37.

Any Spirits, being the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, legally imported into Bermuda, may be imported into Lower Canada, and landed and admitted to an Entry upon Payment of the same Rate of Duty as if the same had been imported directly from any of His Majesty's Sugar Colonies in the West Indies, and under the Conditions and Restrictions contained in 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from any of the said Sugar Colonies. 49 Geo. 3. c. 16.

Spirits may be exported from Bermuda to Lower Canada upon the same Duty and Conditions as if imported direct from Sugar Colonies;

See SPIRITS.

23. Spirits, being the Produce or Manufacture of any His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland, in North America, from the said Sugar Colonies, or from Bermuda, may be exported from either of the Provinces or Islands to Lower Canada, and landed and admitted to an Entry, upon Payment of the same Rate of Duty as if the same had been imported directly from any of His Majesty's Sugar Colonies under the Regulations of this Act. 51 Geo. 3. c. 48. § 1.

Also from the North American Colonies or Bermuda to Lower Canada.

See SPIRITS.

24. No Goods shall be imported from the United States of America by Sea or Coastwise into Quebec, or the Countries or Islands within the Government thereof, or up the River St. Lawrence from the Sea, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 14.

Goods of the United States not to be imported into Quebec by Sea or Coastwise;

25. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, into the Province of Quebec, and into all the Countries bordering on the Gulf of St. Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United States of America, for the Supply of the Persons employed in carrying on the Fisheries; provided that such Bread, &c. shall not be imported except in conformity to such Regulations as shall be specified in such Order, and except by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of the Vessel. 29 Geo. 3. c. 16. § 1.

except Bread, &c. by Order in Council, in case of Necessity, for the Supply of Persons carrying on the Fisheries;

except also, in case of Emergency, Live Stock, &c. for the Supply of the Inhabitants.

26. In case of public Emergency and Distress, the Governor of Quebec, or Lieutenant Governor, or Commander in Chief, with the Consent of the Council, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or the Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from the United States of America, for the Supply of the Inhabitants of the Province, and of the Countries or Islands within the Government thereof; provided that the said Articles shall not be brought except by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of the Vessel. 30 Geo. 3. c. 8. § 1.

Subjects of the United States intending to settle in the Province, may import Household Furniture, Utensils of Husbandry, and Clothing.

27. Any Subject of the Territories belonging to the United States of America, who shall come from thence, together with his Family, to any of the Bahama, or Bermuda, or Somers Islands, or to the Province of Quebec or Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there, having obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor of the said Islands, Colonies, or Provinces respectively, may import into the same, in British Ships owned by His Majesty's Subjects, and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of £50 for every White Person that shall belong to such Family, and the Value of 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

By whom Seizures may be made.

28. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or may be seized by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 30 Geo. 3. c. 8.

No Goods to be brought into the Province from the United States by Inland

29. No Goods, except of the Growth, Produce, or Manufacture of the Territories of the United States of America, shall be brought from the Territories of the said States, by Inland Navigation or Land Carriage, into

the Provinces of Lower or Upper Canada, on Forfeiture of the said Goods, or the Value thereof, with the Vessel or Carriage in which the same shall be brought, to be sued for, recovered, and distributed in like manner as is directed in any Act in the Case of Offences being committed against the Laws of Customs in any of His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

Navigation or Land Carriage, except the Produce of the States.

30. Any Goods the Growth or Production of any of the Countries bordering on the Province of Quebec, brought by Land or Inland Navigation into the said Provinces comformably to the Regulations established by Law, may be imported into any Part of Great Britain from Quebec, and admitted to Entry, and charged with Duty, or exempted from Duty, in like Manner as such Goods would be charged with or exempted from Duty if the same were of the Growth or Production of Quebec, and were imported directly from thence into Great Britain or Ireland; provided it shall appear by Certificate under the Hands and Seals of the Collector and Comptroller of the Customs, and the Naval Officer there, that the same were brought into the Province, conformably to Law, by Land or Inland Navigation, from the Countries bordering thereon, specifying from what Places the same were respectively brought into the said Province; and provided that the Rules, Regulations, Restrictions, and Conditions are observed on their being imported, as are required for the like Goods imported into Great Britain from the said Province, and subject to the like Conditions, Penalties, and Forfeitures, and to the like Modes for Recovery and Application thereof. 30 Geo. 3. c. 29. § 2. —39 & 40 Geo. 3. c. 67. Art. 6.

Goods of Countries bordering on Quebec, brought into the Province by Land or Inland Navigation, may be imported into Great Britain or Ireland as of the Growth of Quebec.

31. Salt for the Fisheries may be laden in any Part of Europe, for Exportation direct to Quebec, on board any British-built Vessel, owned, navigated, and registered according to Law. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 7. 48 Geo. 3. c. 22. § 1.

Salt may be imported from any Part of Europe for the Fisheries.

32. Any Person inhabiting in the Islands of Jersey or Guernsey may lade in the said Islands, and transport directly from thence to any of the British Colonies in America where the Fishery is carried on, on board any Vessel which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Vessels, or on shore, in carrying on the said

Craft and Articles necessary for the Fishery may be imported from Jersey or Guernsey;

Fishery, such Craft, Clothing, or other Goods, being the Produce or Manufacture of Great Britain, or of the said Islands of Jersey or Guernsey, and such Food or Victuals being of the Growth or Produce either of Great Britain or Ireland, or the said Islands of Guernsey or Jersey. 9 Geo. 3. c. 28. § 1.

upon a Certificate and Oath as herein directed.

33. Provided the Master shall produce to the proper Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Lieutenant or Deputy Governor, or Commander in Chief, that Oath has been made by the Shipper before the Magistrates of the Royal Courts in Jersey or Guernsey respectively, or any Three of them, that the Goods and Victuals so shipped are of such Growth, Product, or Manufacture; which Certificate shall also be attested by the Principal Officer of the Customs in the said Island respectively, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Food, &c. and the Vessel importing the same, shall be liable to be seized and forfeited, in the same Manner as they would have been liable if this Act had not been made. 9 Geo. 3. c. 28. § 2.

Herrings may be imported from the Isle of Man;

34. Any of His Majesty's Subjects residing in the Isle of Man may export from thence, and import into any of the British Colonies or Plantations in America, in British-built Vessels owned, navigated, and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

also Lines, Nets, Tools, and Implements for the Fishery;

35. Any of His Majesty's Subjects residing in the Isle of Man may ship and lade there, and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Vessel which may lawfully trade or fish there, any Provisions, Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Vessels carrying out the same, and the Craft belonging to and employed by such Vessels in the said Fishery, such Provisions, Hooks, Lines, Nettings, or other Tools or Implements, being the Produce and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

under certain Oath and Certificate.

36. Provided the Master of such Vessel shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand

Hand and Seal of the Collector or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, &c. that the same are of the Product and Manufacture of Great Britain, Ireland, or Isle of Man respectively, as the Fact may be, and that the several Articles before mentioned, except the Provisions, specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Vessel carrying out the same, and by the Craft belonging to and to be employed by such Vessel in the said Fishery, and for no other Use or Purpose whatsoever (which Oath and Certificate such Collector or other Officer is hereby authorized and required to administer and grant without Fee or Reward); and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the Articles, and the Vessels having the same on board, shall be forfeited in the same Manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Vessels from the British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe.

37. Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe, for Exportation direct to Quebec, on board any British Vessel owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe with Articles the Growth or Produce of Quebec, or with Fish taken and cured by His Majesty's Subjects carrying on the Fishery, from any of the British Colonies in North America, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned (see No. 39.) from the Province of Canada, whether the Growth or Produce of Canada, or brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Duties payable thereon.

38. Upon the Importation thereof into Quebec the Goods shall be subject to the Payment of such Du as Goods of the like Denomination or Description are subject to upon being imported into Quebec from Great Britain, and no other or higher Duties. 51 Geo. 3. c. 97. § 3.

Corn, Grain, Lumber, &c. may be exported to Europe within the said Limits without any

39. The several Articles herein-after mentioned may be exported from Canada in a British-built Vessel, owned, navigated, and registered according to Law, into any Port of Europe within the Limits aforesaid, without any

Oath or Certificate as to the Growth.

Oath being required of their being the Growth or Produce of the said Province, or any Certificate being required of the Country from whence they came; that is to say, Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed and undressed Hoops, Pine Plank and Boards: and the Master of any British-built Vessel laden with any of the said Articles shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, (which Certificate such Officer of the Customs or Naval Officer is hereby authorized and required to grant upon satisfactory Proof being made, upon Oath or otherwise); and the Master of such Vessel shall produce the same at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4, 5.

Oath must be made before shipping Pickled or Dry Fish that it is the Produce of the British Fisheries.

40. Before shipping any Pickled Fish or Dry Fish for the Purpose of Exportation to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the British Colonies; and, on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, which Certificate only the Master of such Vessel shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of

the

the Officer of the Customs or the Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4. 6.

41. His Majesty's Subjects may export from any of His Majesty's Colonies or Plantations in North America any Articles the Production or Manufacture of the said Colonies or Plantations, or any Articles which have been legally imported into any such Colony or Plantation, direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 1.

Certain Articles may be exported direct to Malta or Gibraltar.

See GIBRALTAR.
MALTA.

42. Oranges and Lemons, the Growth of the Azores or the Madeiras, may be shipped and laden at those Islands respectively for Exportation direct to any of the British Colonies in North America, in any British Vessel owned, registered, and navigated according to Law. 57 Geo. 3. c. 89. § 1.

Oranges and Lemons may be imported from the Azores or Madeiras.

43. Vessels not exceeding Thirty Tons Burthen, and not having a Deck, and being employed solely in the Fisheries on the Banks or Shores of Quebec, or in trading Coastwise there, not required to be registered. 27 Geo. 3. c. 19. § 8.

Vessels in the Fisheries not required to be registered.

See REGISTRY OF BRITISH SHIPS.

44. Vessels built at Quebec on account of Owners residing in His Majesty's European Dominions, may be registered upon the Husband or Principal Agent taking the Oath required by 26 Geo. 3. c. 60.; and the Register shall be of full Force and Effect until the Vessel's Arrival at some Port in His Majesty's European Dominions, where they may be registered on the Oath of the Owners, but no longer. 27 Geo. 3. c. 19. § 9.

The Husband or Principal Agent may take the Register Oath if Owners reside in Europe.

See REGISTRY OF BRITISH SHIPS.

Cantharides,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies in America, or to Newfoundland, Bermuda, or any of the British Colonies in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Cape Breton.

No Goods to be imported from the United States except Pitch, Tar, and Turpentine.

1. No Goods shall be imported from any of the Territories of the United States of America into Cape Breton, on Forfeiture thereof and the Vessel; except Pitch, Tar, and Turpentine, the Production of the said Territories, imported by British Subjects, and in British-built Ships owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

Except also Lumber, Cattle, Corn, &c. in case of Distress, for the Supply of the Inhabitants:

2. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief for the Time being, with the Advice and Consent of the Council of the Island, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the Island; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 13.

also Scantling, &c. for Re-exportation to other Colonies;

3. The Governor, Lieutenant Governor, or Commander in Chief, with the Advice and Consent of the Council of Cape Breton, may authorize the Importation of the Articles enumerated in No. 2. for a limited Time, from any of the Territories of the United States, for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

and Household Furniture, Utensils of Husbandry, and Clothing, brought by Subjects of the United States who intend to settle.

4. Subjects of the United States, who shall come from thence, together with their Families, for the Purpose of residing and settling in any British Colony in North America, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor, may import Household Furniture, Utensils of Husbandry, and Clothing, provided the Articles are imported in British Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the whole the Value of £50 for every White Person that shall belong to the Family, and 40 Shillings for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

By whom Seizures to be made.

5. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant,

rant, or Petty Officer specially authorized by them, or any Officer of the Customs. 28 Geo. 3. c. 6. 38 Geo. 3. c. 50.

Vessels arriving with certain Articles at Places in Europe South of Cape Finisterre, may import from thence Fruit, &c. the Produce of Europe

6. Fruit, Wine, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be laden in any Port of Europe, for Exportation direct to the Port of Sydney in Cape Breton, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Part of Europe with Articles the Growth or Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries, from any of the British Colonies in North America, or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

See EUROPE.

Spirits may be exported to Lower Canada on the same Duty as from Sugar Colonies;

7. Spirits of His Majesty's Sugar Colonies in the West Indies, legally imported into Cape Breton from the said Sugar Colonies, or from Bermuda, may be exported from Cape Breton to Lower Canada, and admitted to Entry, on Payment of the same Rate of Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 48. § 1.

See SPIRITS.

and may be imported from Bermuda on the same Duty and Conditions as from Sugar Colonies.

8. Spirits of His Majesty's Sugar Colonies in the West Indies, imported into Bermuda from the said Colonies, may be exported from Bermuda to Cape Breton, and admitted to Entry on Payment of the same Duty as if imported direct from the Sugar Colonies; and under the Condition of 28 Geo. 3. c. 39. may be imported into Cape Breton without Payment of Duty, in the same manner as if imported directly from any of the said Sugar Colonies. 50 Geo. 3. c. 62. § 1.

See SPIRITS.

Goods for the Fishery from Guernsey or Jersey.

9. Goods fit and necessary for the Fishery in the British Colonies in America may be exported to Colonies where such Fishery is carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.

See GUERNSEY.
JERSEY.

Herrings from Isle of Man.

10. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies in the same manner as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.

See MAN.

11. Tools

Cape Breton.

Tools and Imp'e-ments from thence.

11. Tools and Implements necessary for the said Fishery may be exported to the said Colonies direct from the Isle of Man. 15 Geo. 3. c. 31. § 5.

See MAN.

Certain Articles may be exported direct to Malta or Gibraltar.

12. Any Article the Production or Manufacture of His Majesty's Colonies or Plantations in North America, or any Article which has been legally imported into any such Colony or Plantation, may be exported from thence by His Majesty's Subjects direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Oranges and Lemons may be imported from the Azores or Madeiras.

13. Oranges and Lemons, the Growth of the Azores or the Madeiras, may be laden at those Islands respectively for Exportation direct to any of the British Colonies in North America, in any British Vessel owned, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

Capers. Cascasoo.

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, into Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Cattle and Live Stock.

May be imported from the United States into West India Islands and Colonies in Guiana, in British Vessels;

1. Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, the Production of any of the Territories of the United States, may be imported from thence into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demarara, Berbice, or Essequibo, in the Province of Guiana; but not to be so imported except by British Subjects, and in British-built Vessels owned and navigated

vigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

and into Bermuda in Foreign Vessels, and exported by British.

2. Such Cattle and Live Stock may be imported from the said States into St. George or Hamilton in Bermuda, in any Foreign Vessel belonging to any Kingdom or State in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Vessels owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

May be imported into Nova Scotia, &c. from United States for the Supply of Inhabitants.

3. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commander in Chief of Nova Scotia, New Brunswick, or of the Islands of Cape Breton or St. John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants, provided that the said Cattle, &c. shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 12.

Live Stock may be imported from the said States into Newfoundland, for the Supply of Inhabitants and Fishermen, in case of Necessity.

4. His Majesty in Council, by Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Live Stock from any of the Territories of the United States of America, for the Supply of the Inhabitants and Fishermen, for the then ensuing Season; provided that such Live Stock shall not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 13.

Importations into Nova Scotia, &c. for Re-exportation to other Colonies, may be allowed by the Governors.

5. The Governor, Lieutenant Governor, or Commander in Chief of Nova Scotia or New Brunswick, or Cape Breton or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

6. Any

May be imported into Nova Scotia or New Brunswick in Foreign Vessels, and exported to the United Kingdom or any of His Majesty's Possessions;

6. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

subject to such Rules and Regulations as His Majesty may think fit by Order in Council.

7. His Majesty with the Advice of His Privy Council may make such Rules and Regulations for the Importation and Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

8. This Act shall continue in force during the Space of Three Years from and after the passing of the same*, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Live Stock may, in case of Necessity, be imported from the United States into Quebec and Labrador, for the Supply of Persons carrying on the Fisheries;

9. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Live Stock as well into Quebec as into all the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United States of America, for the Supply of the Persons employed in carrying on the Fisheries; provided that such Live Stock shall not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order, and except by British Subjects, in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 29 Geo. 3. c. 16. § 1.

and Cattle, &c. may be imported from the said

10. In case of public Emergency and Distress, the Governor of Quebec, or the Lieutenant Governor or

---

* 8*th May* 1818.

Commander

Commander in Chief, with the Advice and Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the Province, and of the Countries and Islands within the Government thereof; but the said Articles shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 30 Geo. 3. c. 8. § 1.

States for the Supply of Inhabitants of Quebec, in case of public Emergency and Distress.

11. Any Article forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. § 16. 29 Geo. 3. c. 16. § 2. 56 Geo. 3. c. 91.

By whom Seizures to be made.

12. Any Horses, Asses, Mules, and Cattle, being the Production of any Colonies or Plantations in America, or of any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. [illegible]. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

May be imported into the Free Ports in Foreign Vessels.

13. For the Conditions upon which Vessels, which land Horses or Neat Cattle at any of the British Sugar Colonies in the West Indies, may import Spirits without Payment of Duty into certain Provinces and Islands belonging to His Majesty in North America. 28 Geo. 3. c. 39. § 1, 2. 30 Geo. 3. c. 8. § 2. 53 Geo. 3. c. 37. § 1.

See SPIRITS.

Vess[illegible] Cattl[illegible] port Spirits Duty free.

Cavier.

May be exported from Malta or the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, into Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in America, in British Ships owned, navigated,

Importation allowed from Malta or Gibraltar.

vigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c 4. § 1.

See GIBRALTAR.
MALTA.

Certificates.

Suspected to be false, Bond not to be cancelled.

1. Where the Governor or Officer of the Customs shall have reasonable ground of Suspicion that any Certificate from the Officers of the Customs in Great Britain or Ireland, of Bond having been given for carrying enumerated Goods to some other British Plantation, or to Great Britain or Ireland, is false, such Governor or Officers shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security given in the Plantation, until informed from the Commissioners of the Customs that the Matter of the said Certificate is true; and any Person who shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or shall knowingly make use thereof, shall forfeit £500, and the Certificate shall be of no effect. 12 Car. 2. c. 18. § 19. 7 & 8 W. 3. c. 22. § 10. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

Penalty for counterfeiting or using.

To be taken by Masters of Ships of having given Bond, and to be delivered up at the Port of Discharge.

2. Before the Master of any Ship departs from any British Colony or Plantation where he receives his Lading, he shall take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (to be granted without Fee or Reward), that Bond hath been given pursuant to the Directions of this or any other Act, as the Case shall require; and the Master shall keep such Certificate in his Custody till the Voyage is completed, and then deliver the same to the Collector or other Chief Officer of the Customs at the Port where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony or Plantation, on Forfeiture of £100. 1 Geo. 3. c. 15. § 24. 39 & 40 Geo. 3. c. 67. Art. 6.

If Masters do not produce such Certificates, the Ship forfeited

3. If any British Ship, laden in any British Colony or Plantation with any Goods the Produce or Manufacture thereof, shall be discovered by any Officer of the Customs within Two Leagues of the Shore of any such Colony or Plantation, and the Master shall not produce a Certificate that Bond has been given, pursuant to the Directions

of

of this or any other Act, as the Case may require, or if he shall not produce such Certificate to the Collector or other Chief Officer of the Customs of the Port where he shall arrive in Great Britain, Ireland, or any British Colony or Plantation, the Ship shall be forfeited. 4 Geo. 3. c. 15. § 25. 32 & 40 Geo. 3. c. 67. Art. 6.

4. Where, by any Act relative to the Trade of the British Colonies and Plantations in America or the West Indies, an Affidavit shall be required to be made by the Planter or Grower of any Article intended to be shipped for Exportation to Great Britain or Ireland, to prove that such Article is the Produce of such Colony or Plantation, and there shall not be any Justices of the Peace before whom such Affidavit can be made, the Planter or Grower may make the same before the Collector and Comptroller or other Chief Officer of the Customs, or any Two of them, at the Port or Place from whence such Articles may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation; and upon the Importation of such Articles into Great Britain or Ireland, the same shall be admitted to Entry at such Duties as are charged upon Articles when accompanied with the Certificate now required by Law, subject to the Regulations, Restrictions, Penalties, and Forfeitures to which such Articles are liable on Importation. 47 Geo. 3. c. 48. § 2.

To be produced from the Officers of Colonies at which there are not any Justices before whom the Planters can make Affidavits.

Cheese (Parmasan). Cinnabar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta Gibraltar.

See Gibraltar.
Malta.

Cloth,

The Manufacture of the British Plantations in America, prohibited to be exported.

See Wool and Woollen Manufactures.

Clothing. See "Settlers."

Cochineal.

May be imported into the Free Ports in Foreign Vessels,

1. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See Free Ports.

and exported to the United Kingdom.

2. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57.

See Free Ports.

Coffee and Cocoa Nuts.

Must be brought to Great Britain or Ireland, or some British Plantation.

1. No Coffee or Cocoa Nuts of the Production of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bond to be given not to land elsewhere.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of £1000 if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Coffee or Cocoa Nuts, or any enumerated Article, (for the whole of which see "Goods,") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, the Danger of the Seas only excepted; and for every Ship coming from any other Port or Place to any of the aforesaid Plantations, which are permitted

to

to trade there, the Governor shall, before the Ship be permitted to load Coffee or Cocoa Nuts, or any enumerated Article, take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Certificates to be taken by the Masters of Ships which lade in the Colonies.

3. The Master, before he departs from any British Plantation where he receives his Lading, shall take a Certificate under the Hand and Seal of the Collector or other Principal Officer of the Customs there, that Bond hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of £100. 4 Geo 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 33 Geo 3. c. 63. § 2. 39 & 40 G. 3. c. 67. Art. 6.

Forfeiture if shipped before Bond given, or if carried to other Places;

4. If any Ship shall take on board any Coffee or Cocoa Nuts, or other enumerated Article, before Bond is given to the Governor that the Ship shall carry the said Articles to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on Shore; every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 39 & 40 Geo. 3. c. 67. Art. 6. 20 Geo. 3. c. 10. § 1. 3. 4 Geo. 3. c. 15. § 27.

but not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo, in the Province of Guiana, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United King-

dom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

See GUIANA.

Governors or Officers suspecting Certificates to be false, not to cancel Bonds; and Penalty on falsifying Certificates.

6. In Cases where the Governor or Officers in any of the Plantations shall have reasonable ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security given in the Plantations, until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Penalty on Officers suffering Goods to be carried to other Places.

7. If any Officer of the Customs in Great Britain or Ireland shall give any Warrant for or suffer any Coffee or Cocoa Nuts, or any enumerated Article, to be carried into any other Country or Place, until they have been first put on shore in some Port in Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

8. The Governors or their Commanders in Chief of the said Plantations are Once a Year at least to return to the Officers of the Customs in London, or to such other Person as His Majesty shall appoint to receive the same, a List of such Ships as shall have laden any Coffee or Cocoa Nuts, or any enumerated Article, in such Plantations, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited, and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo 3. c. 67. Art. 6.

9. In

Condition of the Bond, and who are to be the Obligors when taken in the Plantations.

9. In all Bonds to be taken in the Plantations, the Persons therein named shall be of known Residence and Ability there for the Value mentioned in the Bond, the Condition of which shall be, within 18 Months after the Date thereof (the Danger of the Seas excepted) to produce a Certificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ireland; otherwise such Bond or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 26 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition when taken in Great Britain or Ireland.

10. In all Bonds which shall be entered into in Great Britain or Ireland, in pursuance of any Act whereby the Goods therein enumerated are to be brought to Great Britain or Ireland, such Bonds shall be with Condition, that within 18 Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of th Port where such Goods shall be delivered, that they have been there landed and discharged. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c 1[illegible]. § 1. 3. 39 & 40 G. 3. c. 67. Art. 6.

Bonds void if not prosecuted within Two Years of the Date, or if Judgment not obtained within Two Years after Prosecution.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if, upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced, and Judgment to be obtained, within the Times limited) shall be void, and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

Duty payable when not shipped for Great Britain or Ireland.

12. There shall be paid to His Majesty One Penny for every Pound Weight of Cocoa Nuts shipped in His Majesty's Plantations, if Bond is not first given with One Surety to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Lading thereof. 25 Car. 2. c. 7. § 2.

To be paid in Sterling Money.

13. The Duty shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and according to the Proportion of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

To be levied by the Commissioners.

14. The Duty shall be levied by the Commissioners of the Customs in England, under the Directions of the Lords of the Treasury. 25 Car. 2. c. 7. § 3.

Officers may accept a Proportion of the Commodity.

15. In case any Person liable to pay the Duty shall not have Money to answer the same, the Officer shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the Current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. § 4.

Bond to be given although the Duty paid.

16. Notwithstanding the Payment of the Duty, the Cocoa Nuts shall not be shipped until such Security shall be given as is required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. to carry the same to Great Britain or Ireland, or to some other of His Majesty's Plantations, under the Forfeiture of Ship and Goods. 7 & 8 W. 3. c. 22. § 8.

Laws and Customs in the Plantations repugnant to this Act, null and void.

17. All Laws, Bye-laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are anyways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Laws shall relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

Penalty on Persons concerned in the Loading without Payment of Duty, or to whose Hands the Goods shall come.

18. If the Goods shall be loaden on board any Vessel before the Duties are paid, every Person assisting or otherwise concerned, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value of the Goods, to be computed according to the best Price that the Commodity bears at the Place where the Offence is committed; and all the Boats made use of in the Loading shall be seized and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

Not to be shipped until the Planter or his

19. No Coffee or Cocoa Nuts shall be put on board any Vessel in any of His Majesty's Colonies and Plantations

tions in America, until the Planter or Grower, or his known Agent, shall make Oath or Affirmation in Writing before Two of His Majesty's Justices of the Peace in or near the Place where the said Coffee grew, that the same is actually of the Growth and Produce of such Planter's or Grower's Plantation lying in the District, Division, or Parish of , within the Island or Colony of ; which Oath or Affirmation shall be produced to the Collector, Comptroller, and Naval Officer, or any of them, by the Person who shall enter or ship such Coffee or Cocoa Nuts, before the Entry and Shipping thereof; and such Person shall likewise make Oath or Affirmation before the said Officers, or any Two of them, that the Coffee or Cocoa Nuts then to be shipped are the same as mentioned in such Oath or Affirmation; and the Collector and Comptroller, and Naval Officer, shall deliver a Certificate of such Affidavit or Affirmation, under their Hands and Seals, to the Master of such Vessel; and, before Clearing, such Master shall make Oath that he has received such Coffee on board his Vessel, and that he has no Coffee or Cocoa Nuts on board other than such for which Proofs shall be made as aforesaid, and that he will not take or receive any more on board before his Arrival in Great Britain or Ireland, and making a Report of his Lading there; for which Affidavit or Affirmation and Certificate the Collector and Comptroller, or Naval Officer, shall receive Five Shillings and no more; and all Certificates of such Affidavits or Affirmations shall, by the Master of such Vessel importing the Coffee or Cocoa Nuts into Great Britain or Ireland, be produced to the Collector and Comptroller of the Customs at the Port where the Vessel shall unlade, at the Time of making his Report, and the Master shall at the same Time deliver to them a Certificate under the Hands and Seals of the Collector and Comptroller of the Customs and Naval Officer of the Place where such Coffee or Cocoa Nuts shall have been shipped (or any Two of them) testifying the particular Quantities laden, and of which such Proofs have been made, specifying the Packages, with the particular Marks, Numbers, and Weights of each; and the Master shall likewise make Oath, or, if he be one of the People called Quakers, solemnly affirm before them, that the Coffee or Cocoa Nuts mentioned in the Certificate was taken on board as therein expressed,

Agent shall make Oath of the Growth before Two Justices, of which a Certificate is to be granted.

and that, after his Departure from the Place where such Coffee or Cocoa Nuts was laden, he did not take on board his Vessel at Sea or elsewhere any Coffee or Cocoa Nuts, and that all the Coffee or Cocoa Nuts on board is mentioned in the Certificate. 5 Geo. 2. c. 24. § 3. 23 Geo. 3. c. 79. §7. 39 & 40 Geo. 3. c. 67. Art. 6.

If there are no Justices, the Oath may be made before Two principal Officers of the Customs.

20. If there are not any Justices of the Peace before whom such Affidavit can be made, the Planter or Grower may make the same before the Collector and Comptroller or other Chief Officer of the Customs, or any Two of them, at the Port or Place from whence the Article may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. §2.

Cocoa Nuts of a Foreign Country not to be taken on board either at Sea or in any Place in America, or landed in the British Plantations.

21. No Person having Charge of any Vessel shall take in, or permit to be taken in, at any of the British Plantations in America, or at Sea, or in any Place in America, or land or suffer to be landed in any of the said Plantations, any Cocoa Nuts of the Growth of any Foreign Country, (except such as shall be regularly exported from Great Britain,) on Forfeiture thereof, and of £200, and likewise shall suffer 12 Months Imprisonment, to be sued for in any Court of Record in Europe or the Plantations; and what shall be recovered in Europe shall be one Moiety to His Majesty, and the other to the Informer; and in the Plantations, One-third to His Majesty, One-third to the Governor or Commander in Chief, and the other Third to the Informer. 23 Geo. 3. c. 79. § 8.

Penalty on taking false Oaths or counterfeiting Certificates.

22. Persons falsely making any Oath or Affirmation shall forfeit £200, and be imprisoned Twelve Months; and if any Person shall forge or counterfeit a Certificate of the said Oath or Affirmation, or shall publish such Certificate, knowing the same to be forged, shall forfeit £200, one Moiety to His Majesty, and the other to the Informer. 23 Geo. 3. c. 79. § 9.

May be exported to United States on Payment of Duty.

23. Coffee and Cocoa Nuts may be exported from the West India Islands to any Territories belonging to the United States, on Payment of the same Duties to which Coffee and Cocoa Nuts exported to any British Colony are liable; and the Duties shall be raised, recovered, and applied in the same Manner as the Duties on Cocoa Nuts

Nuts exported to any British Colony or Plantation in America, are raised, recovered, and applied; but no Coffee or Cocoa Nuts shall be so exported, other than by British Subjects, in British-built Ships owned and navigated according to Law, under Forfeiture thereof, and also of the Vessel. 28 Geo. 3. c. 6. § 3.

Coffee may be exported from Bermuda to the United States in Foreign Vessels.

24. Coffee, the Produce of any British Colony in the West Indies, imported into the Island of Bermuda in any British Vessel, may be exported from Saint George or Hamilton in Bermuda to any Part of the Territories of the United States of America, in any Foreign Vessel belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50.

If Bond required when exported to a British Colony, similar Bond to be required on Exportation to the United States.

25. Where, on Exportation of Goods to any British Colony or Plantation in America, a Bond is required for the due Landing thereof,* and a Certificate is required to discharge such Bond, a similar Bond shall be required on Exportation of such Goods to the United States, and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice-Consul; or in case there shall not be any such Consul or Vice-Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate, by the Master of the Ship, that the Goods were duly landed. 53 Geo. 3. c. 50. § 4.

Cocoa imported into the Free Ports may be exported to the United Kingdom.

26. Cocoa of the Growth or Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into any of the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules and Regulations of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. 45 Geo. 3. c. 57. § 11.

See Free Ports.

---

* *A Bond is required upon the Exportation of Coffee and Cocoa Nuts to the British Colonies by* 12 *Car.* 2. *c.* 18. § 19. *See No.* 2.

May be exported from Sugar Colonies to Ports in Europe South of Cape Finisterre;

27. Any of His Majesty's Subjects may ship, in any of His Majesty's Sugar Colonies or Plantations in America, [illegible] Coffee or Cocoa the Growth of any such Colony or Plantation, and may export the same direct to any Port in Europe to the Southward of Cape Finisterre, and import into the said Colonies or Plantations any Sort of Corn or Grain [illegible] from any such Ports in Europe, or from any Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, in such Ships, and under Licences, Securities, Regulations, Penalties, and Forfeitures herein-after limited for that Purpose. 52 Geo. 3. c. 98. § 1.

upon Licence and Bond and certain Regulations being complied with.

28. No Coffee or Cocoa shall be so laden in any of the said Colonies or Plantations, except in British-built Ships owned, navigated, and registered according to Law, nor unless a Licence shall have been first taken out for that Purpose, under the Hands and Seals of the Collector and Comptroller of the Port at which such Coffee or Cocoa is intended to be shipped, subject to the Regulations herein-after mentioned; (that is to say), that Notice be first given in Writing by the Master, or by One or more Owner or Owners of the Ship, to the Collector and Comptroller of such Port, of their Intention that such Ship shall, when laden, proceed direct to some Port in Europe to the Southward of Cape Finisterre, and export from thence, or from some Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, Corn or Grain, to be carried directly to the Colony or Plantation from which such Ship shall have sailed; and the Exporter shall then make Oath before the Collector and Comptroller of the Port, that it is his full Intention and Resolution to load the Ship with Coffee or Cocoa for Exportation direct to some Port in Europe to the Southward of Cape Finisterre, and to no other Place; and the Master or Owners, together with the Exporter, shall thereupon enter into Bond, to the Use of His Majesty, in Treble the Value of the Goods, with Condition that, in case a Licence shall be granted as aforesaid, such Ship shall proceed direct to some legal Port of Destination, specifying the same; and that no Goods, except Coffee or Cocoa, shall be taken on board, unless for the necessary Use of such Vessel during her Voyage; and also that, before the Expiration of Two Years from the Date of such Licence, the same shall be delivered up to the Collector or Comptroller of the Customs of the Port where the Coffee or Cocoa was shipped,

together with a Certificate, signed and sealed by the Consul, or Two known British Merchants of good Credit at the Port or Place where such Coffee was landed, certifying the Landing thereof, with the Number of Casks and other Packages so landed, and the Mark, Number, and Contents of each, together with the Name of the Ship and Master, and that they verily believe no other Goods than Coffee or Cocoa have been there landed out of such Ship. 52 Geo. 3. c. 98. § 2.

Of a Foreign Colony taken on board in the Sugar Colonies or in the Voyage from thence.

29. In case any licensed Ship shall take on board, in any of the said Sugar Colonies or Plantations, or in her Voyage from thence, any Coffee or Cocoa being the Produce of any Foreign Colony or Plantation, such Coffee and Cocoa shall be forfeited with Double the Value, and the Master and Shipper thereof shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty in America, or in any Court of Record there, at the Election of the Prosecutor; One Third Part to be for the Use of His Majesty, One Third to the Governor of the Colony, and the other One Third to the Prosecutor. 52 Geo. 3. c. 98. § 3.

Regulations to be observed before lading Coffee or Cocoa Nuts for Ports in Europe South of Cape Finisterre.

30. Before any Coffee or Cocoa shall be laden for any Port in Europe to the Southward of Cape Finisterre, the Exporter shall make an Entry thereof in Writing with the Collector and Comptroller of His Majesty's Customs, expressing the Name of the Ship and the Master, and where she lies, and also the Place, Quay, or Wharf where the Goods are to be laden, or first water-borne, which shall be within such Port only where a Custom-house is established, and where an Officer shall be appointed to attend the Shipping, or at h Places as shall be mentioned in e Sufferance from the Collector and Comptroller; and the Exporter shall thereon take out from the said Collector and Comptroller a Cocket or Warrant, whereon shall be endorsed by the Exporter the Marks, Numbers, and Contents or Denominations of such Coffee or Cocoa; and the Cocket or Warrant so endorsed shall be delivered to the Officer appointed for the examining and shipping thereof; and the same shall be shipped in the Presence of such Officers, or at such Places, as shall be mentioned in the Sufferance or Warrant, and such Officers shall examine the same before put on board; and if, before or after the shipping thereof, the Number of Casks or Packages shall be greater than endorsed, or if there shall be found any other Coffee or Cocoa

Cocoa than shall be so endorsed, or any other Goods than Coffee or Cocoa shall be discovered on board, or brought to be shipped in or put into any Vessel for that Purpose, before Entry, or taking out such Cocket or Warrant, endorsing and Delivery of the same, and not being shipped in the Manner aforesaid, but shall be put on board, or attempted to be put on board, contrary to this Act, such Coffee and Cocoa shall be forfeited, as also the Vessel or Carriage employed therein, with the Ship in which such Goods shall be laden, and the Owner shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any Court of Record there, at the Election of the Prosecutor; One Third to be to the Use of His Majesty, One Third to the Governor, and the other One Third to the Prosecutor; and before such Ship shall depart, the Master shall receive the said Licence from the Collector or Comptroller, with a Certificate endorsed thereon, or affixed thereto, under their Hands and Seals of Office, who are to make Two Copies of such Licence, Endorsements, or Certificates, for which no more shall be taken than the legal and accustomed Fees; and the Master shall, before he receives the said Licence, attest the Copies which are to be left with the Collector and Comptroller, who are to transmit One of the Copies of the Endorsements or Certificates to the Commissioners of the Customs in England, and record in a Book the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted, together with the Clearance; but in case any Goods not allowed by this Act shall be found on board, or carried by any such Ship to any Foreign Port, then the Liberty granted by such Licence shall become void, and such Ship and the Master, and all others concerned, shall be liable to the same Penalties and Forfeitures as they would have been in case this Act had not been made. 52 Geo. 3. c. 98. § 4.

Bond may be discharged on Certificate.

31. Upon such Licence being returned to the Collector and Comptroller of the Customs of the Port where the Coffee or Cocoa was shipped, and an Account of the Lading being endorsed thereon or annexed thereto, and upon such Certificate of the Consul or Two known British Merchants of good Credit being produced, and the several other Matters required being duly complied with within Two Years from the Date of such Licence, the

Bond

Bond shall be discharged and delivered up, otherwise shall be forfeited and prosecuted in the Manner before directed. 52 Geo. 3. c. 98. § 5.

32. Upon the Master or Owner of such Vessel conforming to the Conditions of the Licence and Bond, and obtaining a Certificate from the Consul or Two known British Merchants as aforesaid, such Vessel may load in the Port of Delivery, or at any Port or Place on the Coast of Africa to the Northward of the Latitude of Thirty Degrees North, any Corn or Grain, the Produce of Europe or Africa, for Exportation, direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 6. Vessels exporting Coffee and Cocoa Nuts may load Corn or Grain at Ports in Europe, or certain Ports in Africa.

33. All Penalties and Forfeitures incurred by this Act (except where it is otherwise provided) shall be prosecuted in any of His Majesty's Courts of Record at Westminster or Dublin, or the Court of Exchequer in Scotland; one Moiety whereof to be for the Use of His Majesty, and the other Moiety to the Prosecutor; wherein no Essoign, Protection, or Wager of Law shall be allowed, nor any more than One Imparlance. 52 Geo. 3. c. 98. § 7. How Penalties and Forfeitures to be recovered.

34. If any Person shall be sued for any thing done in pursuance of this Act, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear the Prosecution, or discontinue his Action, or if Verdict shall pass against him, the Defendant shall have Treble Costs, and the like Remedy for recovering the same as in Cases where Costs are by Law given to Defendants. 52 Geo. 3. c. 98. § 8. General Issue may be pleaded, and Treble Costs allowed.

35. If any Person shall grant a false Certificate, or counterfeit, erase, or alter any Licence, Oath, or Certificate which shall be made pursuant to this Act, or shall knowingly publish or make use thereof, such Person shall forfeit £500, to be recovered and disposed of in the Manner before directed; and the Licence, Oath, or Certificate so falsified, counterfeited, erased, or altered, shall be of no Effect. 52 Geo. 3. c. 98. § 9. Granting false Certificates or counterfeiting Documents.

36. The Growth of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to the Island of Malta or the Dependencies thereof, or to Gibraltar, in such Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Of the Sugar Colonies may be exported to Malta or Gibraltar.

and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Duty upon Importation of Foreign Coffee.

37. There shall be paid to His Majesty upon Coffee, the Produce of any Colony or Plantation in America not under the Dominion of His Majesty, which shall be imported or brought into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Hundred Weight Avoirdupois of such Foreign Coffee, which shall be imported from any Place except Great Britain, Two Pounds Nineteen Shillings and Nine-pence. 4 Geo. 3. c. 15. § 1.

How to be collected and paid.

38. The Duties shall be collected and paid in the same Manner, and by such Ways and Means, and under such Penalties and Forfeitures (not otherwise altered by this Act), as are mentioned in 6 Geo. 2. c. 13 with respect to the Collection and Payment of the Duties thereby granted upon Sugar; and all Powers, Penalties, Provisions, Articles, and Clauses in that Act contained and referred unto, except in such Cases where any Alteration is made by this Act, shall be applied and put in Execution for the raising, levying, collecting, and answering the Duties hereby granted. 4 Geo. 3. c. 15. § 7.

See SUGAR.

Appropriation thereof.

39. The said Duties (except the necessary Charges of raising, paying, recovering, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, and be entered separate and apart from all other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of defending and securing the British Colonies in America. 4 Geo. 3. c. 15. § 11, 41.

Duty upon Importation of British Coffee.

40. There shall be paid unto His Majesty, His Heirs and Successors, the Duties herein-after mentioned; that is to say,

For every Hundred Weight Avoirdupois of Coffee of the Growth of any British Colony or Plantation in America, which shall be imported or brought from thence into any other British Colony or Plantation in America, Seven Shillings. 6 Geo. 3. c. 52. § 4.

How to be collected, recovered and appropriated.

41. The said Duties shall be deemed Sterling Money of Great Britain, and received to the Amount of the Value

Value which such nominal Sums bear in Great Britain, according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and shall be collected, paid, and recovered by such Rules, Penalties, and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into the said Colonies or Plantations are or may be collected, paid, and recovered by any Acts of Parliament now in force; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, recovering, paying, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, and entered separate and apart from all other Monies paid or payable to His Majesty, and shall be disposed of by Parliament towards defraying the necessary Expences of defending and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

British Coffee warehoused for Exportation to Great Britain, Ireland, or some other British Colony, no Duty to be charged.

42. But no Duty shall be paid for any British Coffee imported or brought into any British Colony or Plantation in America, if deposited in Warehouses provided at the sole Expence of the Importer or Proprietor of such Coffee, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller or other Principal Officer of the Customs at the Place where such Coffee shall be imported, and secured under the separate Locks of such Officers and the Proprietor, and, within Twelve Calendar Months from the landing and warehousing the same, shall be shipped directly from thence for Exportation to Great Britain or to Ireland, or some other British Colony or Plantation in America, under the Securities and Restrictions required by Law. 6 Geo. 3. c. 52. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

Foreign Coffee may be warehoused on Importation into Colonies on the Continent of America, and on Exportation thereof Bond to be given.

43. No Duty shall be paid for any Foreign Coffee imported or brought into any British Colony or Plantation on the Continent of America, if deposited in Warehouses provided at the sole Expence of the Importer or Proprietor of such Coffee, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller, or other Principal Officer of the Customs at the Place where such Coffee shall be imported, and shall also be secured under the separate Locks of such Officers and Proprietor, and within Twelve Calendar Months from the landing and warehousing the same, shall be shipped for Exportation as herein-after is expressed:

expressed; that is to say, before such Foreign Coffee shall be taken out of such Warehouse for Exportation, the Exporter shall become bound with sufficient Security, in the Penalty of £5 for every Hundred Weight of such Coffee, that the same shall be exported according to the Entry, and not relanded in any Part of the British Dominions in America; which Bond the Collector and Comptroller, or other Principal Officer of the Customs at the Port from whence such Foreign Coffee shall be intended to be exported, are required to take to the Use of His Majesty; and the said Bond, with respect to such Coffee as shall be exported to Great Britain, Ireland, or to any other Place under the Dominion of His Majesty where Custom-house Officers are or may be established, shall be with further Condition to return a Certificate, within Eighteen Calendar Months from the Date of such Bond, from the Collector and Comptroller or other Principal Officer of the Customs at such Place, that such Coffee has been there landed accordingly; and with respect to such Coffee as shall be exported to any Place not under the Dominion of His Majesty, or where no such Officers are appointed, such Bond shall continue in force for Two Years from the Date thereof; and in case no Fraud shall appear within that Time, it shall be lawful for the Commissioners of His Majesty's Customs in England, or any Four or more of them, to direct the said Bond to be cancelled and delivered up. 6 Geo. 3. c. 52. § 16. 39 & 40 Geo. 3. c. 67. Art. 6.

If Duties not paid or the Goods exported, they may be sold by the Officers.

44. If the Importer or Proprietor of any such Foreign Coffee warehoused as aforesaid shall not pay the Duties nor export the Goods within Twelve Calendar Months, the Collector and Comptroller or other Principal Officer of the Customs may cause the same to be publicly sold, and the Money arising by such Sale shall be in the first place applied in Discharge of the Duties and Charges attending the Sale, and the Surplus (if any) after Payment of the said Duties and Charges, shall be paid to the Importer or Proprietor, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. § 17.

Cocoa of Foreign Colonies may be imported into the Free Ports in Foreign Vessels.

45. Cocoa, the Production of any of the Colonies in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Colonies or Countries into the Free Ports, in any Foreign Vessel owned and navigated by Persons inhabiting

habiting any of the said Colonies in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. § 1.

See FREE PORTS.

Coffee of Foreign Colonies may be imported in Foreign Vessels Ports to be approved by His Majesty, and exported without Payment of Duty:

46. Coffee, the Production of any Foreign Colony or Plantation, may be imported into Nassau in New Providence, Pitt's Town in Crooked Island, or into such Ports in the Bahama Islands, or into the principal Port of Bermuda, or into such Ports in the Caicos as have been or may hereafter be approved by His Majesty, in such Foreign Vessels, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods herein enumerated; and such Coffee may be so imported and again exported without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

See FREE PORTS.

also into and from Tortola, under the same Rules, &c. and such other as His Majesty may direct:

47. His Majesty, with the Advice of His Privy Council, may permit the Importation into Road Harbour in the Island of Tortola, one of the Virgin Islands, and the Exportation from thence into Great Britain, of Foreign Coffee, in the same Manner, and subject to the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as are provided in 45 Geo. 3. c. 57. respecting Importation and Exportation of Coffee from Nassau, and further subject to such Rules, &c. as shall be directed by His Majesty. 46 Geo. 3. c. 72. § 1.

See FREE PORTS.

and into and from any Part of the Bahama Islands where there is a Custom-house.

48. Any Foreign Vessel described in 45 Geo. 3. c. 57. may come in Ballast, or import into any Part of the Bahama Islands where there is a Custom-house, any Coffee allowed in the said Act to be imported into certain Ports therein mentioned in Foreign Vessels, and may also export such Coffee conformably with the Regulations of the said Act. 52 Geo. 3. c. 99. § 1.

See FREE PORTS.

Coin.

Counterfeit Coin, not to be exported from Great Britain to the British Colonies.

1. Counterfeit Coin, not being the legal Copper Coin of this Kingdom, and counterfeit Gold or Silver Coin made to the Similitude or Resemblance, or intended to resemble, any Gold or Silver Coin of this Kingdom, or of any other Country, which shall under any Description be exported or put on board any Vessel or Boat for the Purpose

Coin.

Purpose of being exported from Great Britain to any of His Majesty's Islands or Colonies in the West Indies or America, shall be forfeited, and may be prosecuted and recovered in such Courts, and by the like Means, and the Produce thereof disposed of and applied in the like manner, and to such Uses, as any Forfeiture incurred by any Law respecting the Revenue may now be prosecuted or recovered, disposed of, and applied in Great Britain, or in any of His Majesty's Islands in the West Indies. 38 Geo. 3. c. 67. § 1.

Penalty on the Exporters or Persons having such Coin in their Custody.

2. Every Person who shall export, or put on board any Vessel or Boat in order to be so exported, or shall cause or procure to be so exported or put on board any Vessel or Boat, or who shall have in his Custody in order to be so exported, any such Coin, shall forfeit £200, and Double the Value of such Coin, to be recovered by Action or Information in any of His Majesty's Courts of Record at Westminster. 38 Geo. 3. c. 67. § 2.

Importation allowed into the Free Ports in Foreign Vessels.

3. All Coin may be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel owned and navigated by Persons inhabiting any of the said Colonies or Plantations or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See Free Ports.

Copper Ore,

Must be landed in some other British Plantation, or in Great Britain or Ireland.

Of the Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo. 1. c. 18. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

For the Restrictions, Penalties, and Forfeitures, to secure the Landing in the Plantations or in Great Britain or Ireland, (See "Ashes, Pot and Pearl.")

Coral,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's

Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Cork.

1. The Produce of Europe South of Cape Finisterre, may be shipped and laden in any Port or Place of Europe South of Cape Finisterre, for Exportation direct to any of the Ports herein-after mentioned; (that is to say), Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, all in North America, on board of any British Ship owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe South of Cape Finisterre with Articles of the Growth or Produce of the said Colonies or Plantations, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or Plantations, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned, from Canada, whether such Goods shall be the Produce of Canada, or shall have been brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Vessels from British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Cork the Produce of Europe.

2. Upon the Importation of Cork into any of the said Ports, the same shall be subject to the Payment of such Duties as Goods of the like Denomination are liable to upon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

What Duties liable to.

3. The Person exporting any Cargo from any Port in the Provinces of Nova Scotia or of New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or before the Naval Officer in Command at such Port, that the Cargo so shipped is the Growth and Produce of the Province, or the Produce of the British Fisheries in North America, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the Colonies or Plantations; and

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Province, or of the British Fisheries; and Certificate thereof to be produced.

such Officer shall certify such Oath under his Hand; and the Certificate shall be produced by the Master of the Vessel on board of which any such Cargo is shipped, on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Vessel shall go for the Delivery of the Cargo; and the Master of such Vessel shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was the Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

Certain Articles may be exported from Canada without such Oath, on producing the Certificate of the regular Importation by Land or Inland Navigation.

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Planks, and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were of the Growth of or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to, in manner aforesaid, by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

Oath to be made, before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

5. Before shipping any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the British Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof signed with

his Hand, which Certificate only the Master of the Vessel shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. 6.

6. Any Ship or Goods subject to Forfeiture under this Act may be seized by any Officer of the Customs in the said Colonies or Plantations, or by the Commander of any of His Majesty's Vessels of War, and shall be prosecuted and the Produce divided in the same manner, and by the same Regulations, as any other Forfeiture imposed by any Act made for the Security of the Revenue, or the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, before the passing of this Act, in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

By whom Ships and Goods may be seized and prosecuted.

7. May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Corn and Grain.

1. Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any sort, of the Growth of any of the Territories of the United States, may be imported from the said Territories into His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo, in the Province of Guiana; but not to be so imported, except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

May be imported from United States into West India Islands and Colonies in Guiana in British Vessels;

2. Any of the said Articles, being the Growth of the said Territories, may be imported from thence into Saint George, or Hamilton, in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies in

and into Bermuda in Foreign Vessels.

British-built Vessels owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under Foreign European Sovereigns,

3. No Flour, Peas, Beans, Wheat, Oats, Barley, or Grain, shall be imported into His Majesty's West India Islands, including the Bahama and Bermuda or Somers Islands, or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

except in case of Distress, for the Supply of the Inhabitants.

4. In case of public Emergency or Distress, it shall be lawful for the Governors, Lieutenant Governors, or Commanders in Chief of any of the said Islands in the West Indies under the Dominion of His Majesty, or for the Governors &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, to authorize the Importation of the said Articles, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; provided that such Articles shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

So imported for the Supply of the Inhabitants not to be exported, and Oath to be taken before shipping Articles of the like Denomination.

5. None of the said Articles which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat or brought to any Quay with Intent to be so exported, on Forfeiture thereof, and also of the Vessel or Boat in which laden; and before shipping of any Article of the like Denomination that may lawfully be exported from any such Islands or Colony, the Exporter shall make Oath that the same or any Part thereof had not been imported for the Supply of the Inhabitants from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European

European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c 91. § 1.

Persons taking false Oaths.

6. Any Person convicted of taking a false Oath touching any of the Facts required to be testified on Oath, shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

Grain and Flour may be imported in Foreign Vessels into the Free Ports.

7. Grain of all Sorts or Flour may be imported from any Colonies or Plantations in America, belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports in the West Indies, in any Foreign Vessel manned and navigated by Persons inhabiting any of the said Colonies or Plantations belonging to any Foreign Sovereign or State, under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures provided in 45 Geo. 3. c. 57. with respect to Articles therein enumerated. 45 Geo. 3. c. 57. 48 Geo. 3. c. 125. § 2. 49 Geo. 3. c. 22. 52 Geo. 3. c. 44. 57 Geo. 3. c. 74.

See Free Ports.

Of the Portuguese Settlements may be imported into the West Indies or Colonies in Guiana.

8. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands, including the Bahama and Bermuda or Somers Islands, or Colonies of Demerara, Berbice, or Essequibo, any Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any Sort, such Articles being the Growth or Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America, and imported direct from the said Territories or Dominions in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

May be imported into the West Indies and Colonies on the Continent, for the Supply of the Inhabitants, from Colonies under Foreign European Sovereigns.

9. Grain, Peas, Beans, and Flour may be imported into any of His Majesty's Colonies or Plantations in the West Indies, or on the Continent of America, for the Supply of the Inhabitants thereof, in British-built Ships, registered and navigated according to Law, from any Colony or Plantation in the West Indies, or on the Continent of America, under the Dominion of any Foreign European Sovereign or State. 58 Geo. 3. c. 27. § 1.

Peas and Beans of Colonies under Foreign Eu-

10. Peas and Beans, the Growth of any of the Colonies or Possessions in the West Indies or on the Continent of

ropean Sovereigns may be imported into the Free Ports in Foreign Vessels.

America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported into any of the Ports in His Majesty's Colonies or Plantations in the West Indies enumerated in 45 Geo. 3. c. 57. 46 Geo. 3. c. 72. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. and 57 Geo. 3. c. 74. in Vessels of the like Description, and subject to the like Rules, Regulations, and Restrictions as are required by the aforesaid Acts, permitting certain Articles to be imported into the Ports enumerated therein in Vessels of the like Description, and subject to the like Rules, &c. as are required by 50 Geo. 3. c. 21.*—58 Geo 3. c. 27. § 2.

May be imported from the United States for the Supply of Inhabitants of Nova Scotia, &c. in case of Distress;

11. In case of public Emergency or Distress, it shall be lawful for the Governor, Lieutenant Governor, or Commander in Chief of Nova Scotia or New Brunswick, Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, to authorize the Importation of Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any Sort, for a limited Time, from any of the Territories belonging to the said United States, for the Supply of the Inhabitants of the said Provinces and Islands; but such Corn, &c. shall not be so imported, except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

and Flour and Indian Corn for the Supply of the Inhabitants and Fishermen at Newfoundland;

12. His Majesty in Council, by Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Flour and Indian Corn from any of the Territories of the United States of America, for the Supply of the Inhabitants and Fishermen for the then ensuing Season; provided that such Flour and Indian Corn shall not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

and Flour, &c. for the Purpose of being re-ex-

13. Any of the Governors, Lieutenant Governors, or Commanders in Chief for the Time being of Nova Scotia

---

* *This Act (which was made perpetual by* 54 *Geo.* 3. *c.* 48.) *permitted the Importation and Exportation of the Articles under the Rules and Regulations of* 45 *Geo.* 3. *c.* 57. *in any Foreign Vessel, although having more than One Deck.*

or

or New Brunswick, or of Cape Breton or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of the Articles enumerated in 28 Geo. 3. c. 6. (viz. Flour, &c. See No. 1.) for a limited Time, from any of the Territories of the United States of America, for the Purpose of being re exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

ported from Nova Scotia, &c. to other Colonies.

14. Any British Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any Sort; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

May be imported either in British or Foreign Vessels into Ports approved of in the Province of Nova Scotia or New Brunswick, and re-exported to the United Kingdom or other of His Majesty's Possessions,

15. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

under such Regulations as His Majesty may think fit.

16. This Act shall continue in force for the Space of Three Years from and after the passing of the same,* and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

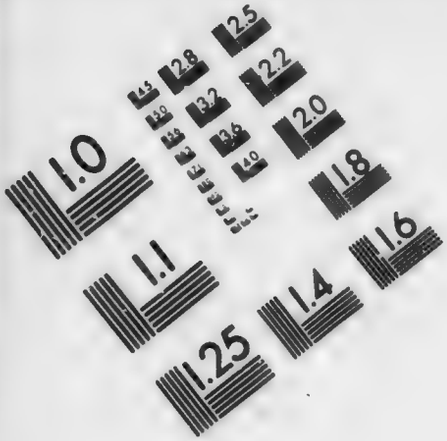
Limitation of the Act.

17. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Flour and Indian Corn as well into the said Province of Quebec as into all the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United States, for the Supply of the Persons employed in or carrying on the Fisheries; provided that such Flour and Indian Corn shall not be so imported except in conformity to such Rules, Regulations, and

Flour and Indian Corn may be imported in British Ships from the United States into Quebec and Labrador for the Use of Persons carrying on the Fishery, in case of Necessity;

8th May 1818.

Restriction



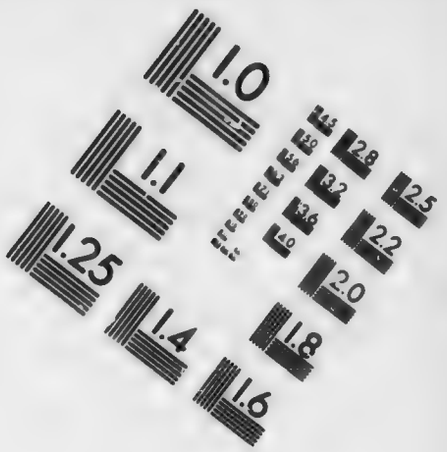
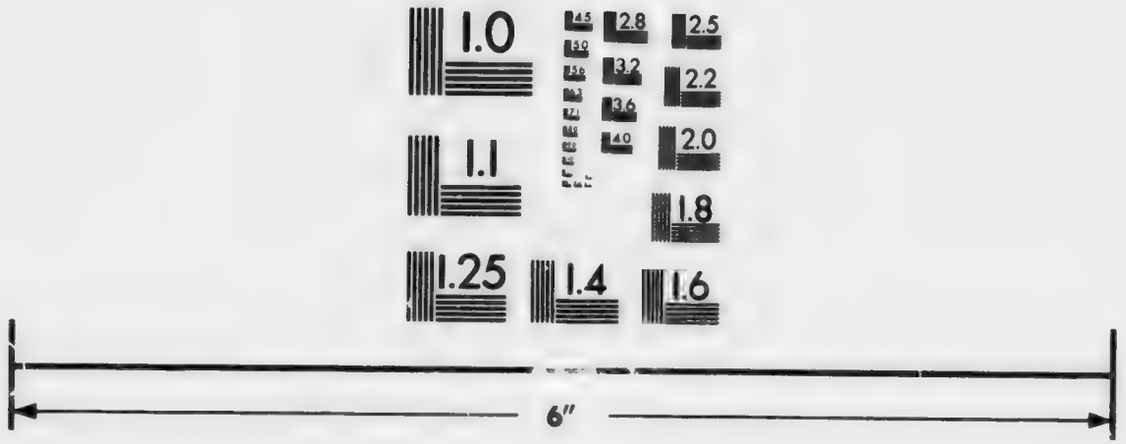
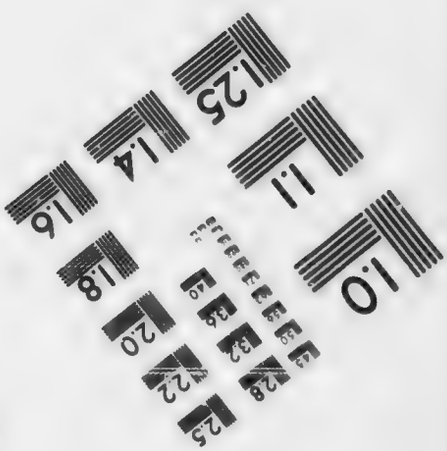


IMAGE EVALUATION TEST TARGET (MT-3)





Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

Restrictions as shall be specified in such Order, and except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 29 Geo. 3. c. 16. § 1.

and Peas, &c. into Quebec for the Supply of the Inhabitants, in case of public Emergency.

18. In case of public Emergency and Distress, the Governor of Quebec, or the Lieutenant Governor or Commander in Chief, with the Advice and Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or Islands within the Government thereof, or up the River St. Lawrence from the Sea, of Peas, Beans, Wheat, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Province, and of the said Countries and Islands within the Government thereof; but the said Articles are not to be so imported except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 30 Geo. 3. c. 8. § 1.

By whom Seizures to be made.

19. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

Shipped at Quebec for Exportation to Great Britain or Ireland, Oath to be made that the Articles are the Growth of the British Colonies.

20. The Master of every Ship, taking on board Corn, Meal or Flour at Quebec, or any of the British Colonies or Plantations in North America, for Exportation to Great Britain or Ireland, shall bring with him a Certificate or Certificates from the Chief Officer or Officers of the Customs in the Port where such Corn, Meal, or Flour shall be put on board, expressing the Quantity and Sort of Corn, Meal, or Flour mentioned in the Bill or Bills of Lading, with the Names or Places of Abode of the Exporters, and the Names or Places of Abode of such other Persons who shall have sworn that the Corn, Meal, or Flour therein mentioned is bonâ fide of the Growth or Production of Quebec, or the other British Colonies or Plantations in North America respectively, and where and to whom consigned; and the Master or other Person having or taking the Charge or Command of the Ship importing or bringing in the same shall, on Arrival in Great Britain or Ireland, make Oath before the Collector

tor or Comptroller, or other Chief Officer of the Customs at the Port where such Ship shall arrive (who are hereby authorized to administer the said Oath), that the Corn, Meal, or Flour imported or brought in such Ship is the same which is mentioned and contained in the said Certificate or Certificates; on Failure whereof, such Corn, Meal, or Flour shall be deemed and taken not to be of the Growth or Production of the Province of Quebec, or the other British Colonies or Plantations in North America, but shall be considered within the Meaning of this Act, as Corn, Meal, or Flour imported or brought into Great Britain from some other Foreign Country. 31 Geo. 3. c. 30. § 17. 39 & 40 Geo. 3. c. 67. Art. 6.

Such Oath not to be required on Exportation from Canada to Places South of Cape Finisterre, but a Certificate must be produced of the Importation by Land or Inland Navigation.

21. The several Articles hereafter mentioned may be exported from Canada in a British-built Ship, owned, navigated, and registered according to Law, to any Port of Europe South of Cape Finisterre, without any Oath being required of their being the Growth or Produce of the said Province, or any Certificate being required of the Country from whence they came; that is say, Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, and Rye; and the Master of any such British-built Ship laden with any of the said Articles shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth of or brought into Canada, conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon; which Certificate such Officer of the Customs or Naval Officer is required to grant upon satisfactory Proof being made upon Oath or otherwise, and the Authenticity of such Certificate shall be sworn to by the Master of such Vessel at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

Of Europe may be laden at certain Parts of Europe or Africa, for Exportation to Sugar Colonies.

22. Any Ship having obtained a Licence under this Act for the Exportation of Sugar, Coffee, or Cocoa, from any of His Majesty's Sugar Colonies direct to any Part of Europe Southward of Cape Finisterre, may load at the Port of Delivery, or at any Place on the Coast of Africa to the Northward of the Latitude of 30 Degrees North, any Sort of Corn or Grain, the Produce of Europe, for Exportation direct to the said Sugar Colonies, and there land the same. 52 Geo. 3. c. 98. § 1.

See EUROPE.

23. Any

Corn and Grain.

Importation allowed from Malta or Gibraltar.

23. Any Corn, Grain, Meal, Flour, Beans or Peas, may be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Cotton Wool.

Must be brought to Great Britain or Ireland, or some British Plantation.

1. No Cotton Wool of the Production or Manufacture of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bond to be given not to land elsewhere.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of £1000 if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Cotton Wool, or any enumerated Article, (for the whole of which see "Goods,") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded (the Danger of the Seas only excepted); and for every Ship coming from any other Port or Place to any of the aforesaid Plantations which are permitted to trade there, the Governor shall, before the Ship be permitted to load any Cotton Wool, or any enumerated Article, take Bond in like manner to the Value aforesaid that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Certificate to be taken by the

3. The Master, before he departs from any British Plantation where he receives his Lading, shall take a Certificate

Certificate under the Hand and Seal of the Collector or other Principal Officer of the Customs there, that Bond hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of £100. 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Masters of Ships which lade in the Colonies.

4. If any Ship shall take on board any Cotton Wool, (or other enumerated Article), before Bond is given to the Governor that the Ship shall carry the said Articles to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom House of Great Britain or Ireland that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on shore; every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 39 & 40 Geo. 3. c. 67. Art. 6. 20 Geo. 3. c. 10. § 1. 3. 4 Geo. 3. c. 15. § 27.

Forfeiture if shipped before Bond given, or if carried to other Places;

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

but not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

See GUIANA.

6. In Cases where the Governor or Officers in any of the Plantations shall have reasonable ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officer shall not cancel

Governors or Officers suspecting Certificate to be false, not to cancel Bonds; and Penalty on falsifying Certificates.

cancel the Security given in the Plantation until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Penalty on Officers suffering Goods to be carried to other Places.

7. If any Officer of the Customs in Great Britain or Ireland shall give any Warrant for or suffer any Cotton Wool, or any enumerated Article, to be carried into any other Country or Place, until first put on shore in some Port of Great Britain or Ireland, every Officer for such Offence shall forfeit his Place and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. c. 67. Art. 6.

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

8. The Governors or their Commanders in Chief of the said Plantations are Once a Year at least to return to the Officers of the Customs in London, or to such other Persons as His Majesty shall appoint to receive the same, a List of such Ships as shall have laden any Cotton Wool (or any enumerated Article) in such Plantations, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations, which shall have on board any of the said Articles, shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition of the Bond, and who are to be the Obligors wh taken in the Plantations.

9. In all Bonds to be taken in the Plantations, the Persons therein named shall be of known Residence and Ability there for the Value mentioned in the Bond, the Condition of which shall be, within 18 Months after the Date thereof (the Danger of the Seas excepted) to produce a Certificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ireland; otherwise such Bond, or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force, and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27.

§ 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition when taken in Great Britain or Ireland.

10. In all Bonds which shall be entered into in Great Britain or Ireland, in pursuance of any Act whereby the Goods therein enumerated are to be brought to Great Britain or Ireland, such Bonds shall be with Condition that within 18 Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bonds void if not prosecuted within Three Years of the Date, or if Judgment not obtained within Two Years after Prosecution.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if, upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced, and Judgment to be obtained within the Times limited) shall be void; and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

Of Foreign Produce may be imported into West Indies Duty-free.

12. Any Person may import any Cotton Wool of Foreign Produce into any British Island in the West Indies, in any Ship that may lawfully trade to and from the said Islands, navigated according to Law, without Payment of Duty or other Imposition whatsoever. 6 Geo. 3. c. 52. § 18.

Exportation Duty-free.

13. No Duty or other Imposition whatsoever shall be paid in any British Colony or Plantation in America for any Sort of Cotton Wool exported from thence. 6 Geo. 3. c. 52. § 19.

Importation allowed into the Free Ports in Foreign Vessels.

14. The Growth of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Ship whatsoever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. § 1.

See Free Ports.

May be exported from the Free Ports to the United Kingdom.

15. Of the Growth of any of the Colonies or Plantations in America, or Countries on the Continent of America,

Cotton Wool.

America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18.—22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. § 11.

See FREE PORTS.

Crooked Island.

Pitt's Town a Free Port.

1. The Port of Pitt's Town in Crooked Island, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Foreign Vessels may be there laden with Salt.

2. Until 25th March 1819, any Ship belonging to the United States coming in Ballast, and not otherwise, may enter the Port of Crooked Island for the Purpose of being there laden with Salt, and for no other Purpose whatever, subject to the Rules, Provisions, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turk's Island. 57 Geo. 3. c. 42. § 1.

See BAHAMA ISLANDS.

Cumminseed, Currants, Dates,

Importation allowed from Malta or Gibraltar.

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Debts.

In Actions of Debt, Affidavits made before the Magistrates in Great Britain to be of the same Force as if the Party had appeared and

1. In any Action or Suit brought in any Court of Law or Equity in any of the British Plantations in America, relating to any Debt or Account wherein any Person residing in Great Britain shall be a Party, the Plaintiff or Defendant, and any Witness to be examined in such Action or Suit, may verify or prove any Matter or Thing by Affidavit in Writing upon Oath, or in case the Person making

making such Affidavit be one of the People called Quakers, then upon his solemn Affirmation, made before any Mayor or other Chief Magistrate of the City, Borough, or Town Corporate in Great Britain where or near to which the Person shall reside, to be certified and transmitted under the Common Seal of such City, Borough, or Town Corporate, or the Seal of the Office of such Mayor or other Chief Magistrate, which Oath and solemn Affirmation every such Mayor and Chief Magistrate is empowered to administer; and every Affidavit or Affirmation so made, certified, and transmitted, shall be allowed to be of the same Force and Effect as if the Person making the same upon Oath or solemn Affirmation had appeared and sworn or affirmed the Matters contained in such Affidavit or Affirmation vivâ voce in open Court, or upon a Commission issued for the Examination of Witnesses, or of any Party in any such Action or Suit respectively; provided that in every such Affidavit and Affirmation there shall be expressed the Addition of the Party making such Affidavit or Affirmation, and the particular Place of his or her Abode. 5 Geo. 2. c. 7. § 1.

sworn to the Matters viva voce in Court.

2. In all Suits brought in any Court of Law or Equity, by or on behalf of His Majesty, in any of the said Plantations, for or relating to any Debt or Account, His Majesty may prove His Debt and Account, and examine His Witnesses by Affidavit or Affirmation, in like manner as any Subject may do by this Act. 5 Geo. 2. c. 7. § 2.

Witnesses may be examined in like manner on behalf of His Majesty.

3. If any Person making such Affidavit or Affirmation shall be guilty of falsely and wilfully swearing or affirming any Matter or Thing, which, if the same had been sworn upon an Examination in the usual Form, would have amounted to wilful and corrupt Perjury, every Person, being thereof lawfully convicted, shall incur the same Penalties and Forfeitures as by the Laws and Statutes of this Realm are provided against Persons convicted of wilful and corrupt Perjury. 5 Geo. 2. c. 7. § 3.

Persons taking false Oaths.

4. The Houses, Lands, Negroes, and other Hereditaments, and Real Estates, within any of the said Plantations, belonging to any Person indebted, shall be chargeable with all just Debts, Duties, and Demands owing by any such Person to His Majesty or any of His Subjects, and shall be Assets for the Satisfaction thereof, in like manner as Real Estates are by the Law of England liable to the Satisfaction of Debts due by Bond or other Specialty, and shall be subject to the like Remedies and Process

Property in the Plantations may be seized towards satisfying Debts and Duties due to His Majesty.

Debts.

Process in any Court of Law or Equity in any of the said Plantations, for seizing, extending, selling, or disposing of any such Houses, Lands, Negroes, and other Hereditaments and Real Estates, towards the Satisfaction of such Debts, Duties, and Demands, and in like manner, as Personal Estates in any of the said Plantations respectively are seized, extended, sold, or disposed of for the Satisfaction of Debts. 5 Geo. 2. c. 7. § 4.

Demerara. See "Guiana."

Diamonds,

Importation allowed into the Free Ports in Foreign Vessels.

May be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Ship owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 47 Geo. 3. c. 34. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

Dominica.

A Free Port.

1. The Port of Rosseau in Dominica, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Governor's Orders for the Importation and Exportation of Articles in Foreign Vessels declared valid.

2. Whereas His Majesty's Governor of the Island of Dominica has found himself under the Necessity of opening, with the Advice of his Council, the Ports of the said Island, for a limited Time, for the Importation of certain Articles necessary for their Supply in Foreign Bottoms, and in like Manner for the Exportation of certain Articles the Produce of the said Island in return for the same: And whereas such Importation and Exportation as aforesaid are contrary to 12 Car. 2. and other Acts, but being permitted from the Necessity of the Occasion, the same ought to be justified and rendered valid and of due Force in Law; and all Persons advising or issuing any Order or Permission of the said Governor, or Person acting as such, ought to be respectively justified:

fied; be it therefore enacted, That the said Orders and Permissions be and be deemed valid accordingly, and of due Force in Law; and that all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Person for having advised or issued or carried into Execution any such Order or Permission at any Time before the passing of this Act, shall be discharged and made void by virtue of this Act; and if any Action or Suit shall be prosecuted or commenced against any Person for or by reason of any such Act, Matter, or Thing so advised, commanded, or done, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff in any Action or Suit so to be prosecuted or commenced in that Part of the United Kingdom called England, or that Part called Ireland, or in the said West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff, the Defendant shall recover his Double Costs, for which he shall have the like Remedy as in Cases where the Costs by Law are given to the Defendants; and if any such Action or Suit shall be commenced or prosecuted in that Part of Great Britain called Scotland, the Court before which such Action or Suit shall be commenced or prosecuted shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs of Suit in all such Cases. 58 Geo. 3. c. 7. § 1.

and if any Actions be brought, Proceedings may be stayed.

3. If any Action or Suit hath been already commenced against any Person for any such Act, Matter, or Thing so advised, commanded, or done, the Defendants or Defenders in such Actions or Suit respectively, in whatever Court in the United Kingdom of Great Britain and Ireland, or in the said West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is hereby required to make Order for that Purpose accordingly; and the Court making such Order shall award to the Defendants or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where the Costs are by Law given to the Defendants or Defenders. 58 Geo. 3. c. 7. § 2.

Drugs.

Importation allowed into the Free Ports in Foreign Vessels.

1. The Growth or Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See Free Ports.

Imported into the Free Ports, may be exported to the United Kingdom.

2. The Growth or Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. § 11.

See Free Ports.

Dutch Colonies. See "Guiana."

Duties.

May be put under the Management of Commissioners residing in the Colonies.

1. The Customs and other Duties imposed by any Act of Parliament upon Goods imported into or exported from any British Colony or Plantation in America, may be put under the Management of such Commissioners, to reside in the said Plantations, as His Majesty, by His Commission under the Great Seal of Great Britain, shall judge to be most for the Advantage of Trade, and Security of the Revenue of the said Colonies or Plantations. 7 Geo. 3. c. 41. § 1.

To have the same Powers as Commissioners in England.

2. The Commissioners or any Three or more of them shall have the same Powers and Authorities for carrying into Execution the Laws relating to the Revenues and Trade of the said Colonies, as were exercised by the Commissioners of the Customs in England; and His Majesty in such Commission may make Provision for putting in

Execution the Laws relating to the Customs and Trade of the said Colonies. 7 Geo. 3. c. 41. § 2.

3. All Deputations and other Authorities granted by the Commissioners of the Customs in England before the passing of this Act, or which may be granted by them before any Commission shall issue in pursuance of this Act, to any Officer acting in the said Colonies or Plantations, shall continue in force, as if this Act had not been made, until the Deputations or other Authorities so granted to such Officer shall be revoked or made void by the Lords of the Treasury. 7 Geo. 3. c. 41. § 3. Deputations granted in England to be in force.

4. The King and Parliament of Great Britain shall not impose any Duty, Tax, or Assessment payable in any of His Majesty's Colonies, Provinces, and Plantations in North America or the West Indies, except only such Duties as it may be expedient to impose for the Regulation of Commerce; the Net Produce to be applied to the Use of the Colony Province, or Plantation wherein levied, in such Manner as other Duties collected by Authority of the General Courts or Assemblies are ordinarily applied. 18 Geo. 3. c. 12. § 1. Not to be imposed except for the Regulation of Commerce, and to be applied for the Use of the Colony.

5. Payable upon Ships coming in Ballast from the United States of America to the Turks Islands, Nassau, Exuma, and Crooked Island, for the Purpose of being laden with Salt. 28 Geo. 3. c. 6. § 5. 57 Geo. 3. c. 42. § 1. Tonnage Duty on American Ships.

See SALT.

6. Payable upon Dying Wood, Logwood, Tobacco, Indigo, Ginger, and Cocoa Nuts exported from the British Plantations, if Bond is not given to bring the same to Great Britain or Ireland. 25 Car. 2. c. 7. § 2. Dying Wood, Logwood, Tobacco, Ginger, Cocoa Nuts.

See COCOA NUTS. TOBACCO.
GINGER. WOOD.
INDIGO.

7. Payable upon Molasses imported into any British Colony or Plantation. 6 Geo. 3. c. 52. § 4. Molasses.

See MOLASSES.

8. Payable upon Sugar, the Produce or Manufacture of any Colony or Plantation in America, not under the Dominion of His Majesty, imported into any British Colony or Plantation. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 1. Sugar.

See SUGAR.

9. Payable

Indigo.

9. Payable upon Indigo, the Produce or Manufacture of any Colony or Plantation in America, not under the Dominion of His Majesty, imported into any British Colony or Plantation. 4 Geo. 3. c. 15. § 1.

See INDIGO.

Pimento.

10. Payable upon Pimento, the Production of any British Colony or Plantation, imported into any British Colony or Plantation. 6 Geo. 3. c. 52. § 4.

See PIMENTO.

Foreign Coffee.

11. Payable upon Coffee, the Growth of any Colony or Plantation in America not under the Dominion of His Majesty, imported into any British Colony or Plantation. 4 Geo. 3. c. 15. § 1.

See COFFEE AND COCOA NUTS.

British Coffee.

12. Payable upon Coffee, the Growth of any British Colony or Plantation in America, imported into any other British Colony or Plantation. 6 Geo. 3. c. 52. § 4.

See COFFEE AND COCOA NUTS.

Spirits into Quebec.

13. Payable upon Spirits imported into the Province of Quebec, from His Majesty's Sugar Colonies, or any other His Majesty's Dominions in America, or from Great Britain, or Colonies and Plantations not in the Possession of or under the Dominion of His Majesty. 14 Geo. 3. c. 88. § 1.

See SPIRITS.

Spirits into Newfoundland.

14. Payable upon Spirits imported into Newfoundland, from any British Colony or Plantation in the West Indies, or on the Continent of America or from Great Britain or Ireland, or the Colonies of Demerara, Berbice, or Essequibo. 15 Geo. 3. c. 31. § 10. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

See SPIRITS.

Wine.

15. Payable upon Wine imported into the British Colonies or Plantations from Great Britain, Ireland, or the Netherlands, or from any Island or Place from whence the same may be lawfully imported. 4 Geo. 3. c. 15. § 1. 51 Geo. 3. c. 97. § 1. 56 Geo. 3. c. 91. § 4. 55 Geo. 3. c. 29. § 6. 57 Geo. 3. c. 4.

See WINE.

Glass, Lead, Painters Colours, and Papers.

16. Payable upon Glass, Red Lead, White Lead, Painters Colours, and Paper, imported into any British Colony

Colony or Plantation from Great Britain or Ireland. 7 Geo. 3. c. 46. § 1.

See GLASS.
LEAD.
PAINTERS COLOURS.
PAPER.

17. No Duty of Gunpowder shall be received by any Officer in the Free Ports for any Entry, Cocket, Clearance, or Passport for any Foreign Vessel, or any Goods imported into or exported from the said Islands in such Foreign Vessel. 45 Geo. 3. c. 57. § 14.

Of Gunpowder not to be charged on Foreign Vessels in the Free Ports.

See FREE PORTS.

Emery Stone,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or to any of His Majesty's Colonies or Plantations in North America, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

England and English.

These Words, in the several Acts made before the Union with Scotland, are, in the Quotations in this Digest, changed into the Words "Great Britain" and "British," by virtue of 5 Anne, c. 8. § 1.

Altered by the Union to "British."

Essences of Bergamot, Citron, Lemon, Orange, Lavender, Roses, and Rosemary,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or to any of His Majesty's Colonies or Plantations in North America, in British-

Importation allowed from Malta or Gibraltar.

built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Essequibo. See "Guiana."

Europe.

Malta deemed in Europe.

1. The Island of Malta and its Dependencies shall be deemed and taken to be in Europe. 57 Geo. 3. c. 36. § 10.

Goods of Europe must be laden in Great Britain or Ireland.

2. No Commodity, of the Production or Manufacture of Europe, shall be imported into any Island, Colony, Territory, or Place to His Majesty belonging, or which shall hereafter belong unto or be in the Possession of His Majesty, in America, but what shall be bonâ fide and without Fraud laden and shipped in Great Britain or Ireland in British-built Shipping, owned, navigated, and registered according to Law, and which shall be carried directly thence to the said Islands, Colonies, Territories, or Places, and from no other Place, under the Penalty of the Loss of such Commodities as shall be imported from any other Place, by Land or Water, and if by Water, of the Ship in which imported. 15 Car. 2. c. 7. § 6. 39 & 40 Geo. 3. c. 67. Art. 6.

Vessels not to be cleared out from Great Britain or Ireland unless the whole Cargo there laden.

3. No Vessel shall, upon any Pretence whatsoever, be cleared outwards from any Port of Great Britain or Ireland, for any Island, Colony, Territory, or Place to His Majesty belonging, or which shall hereafter belong unto or be in the Possession of His Majesty, in America, unless the whole and entire Cargo shall be bonâ fide and without Fraud laden and shipped in Great Britain or Ireland; and any Officer of His Majesty's Customs is empowered to stop any British Ship arriving from any Part of Europe, which shall be discovered within Two Leagues of the Shore of any of the British Colonies or Plantations in America, and seize as forfeited any Goods for which the Master shall not produce a Cocket or Clearance from the proper Officer of His Majesty's Customs, certifying that the said Goods were laden on board the Ship in some Port of Great Britain or Ireland. 4 Geo. 3. c. 15. § 30. 39 & 40 Geo. 3. c. 67. Art. 6.

4. Salt

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

4. Salt may be laden in any Part of Europe for the Fisheries in Newfoundland, Nova Scotia, or Quebec; Wines of the Madeiras, and of the Western Islands of Azores, may be there laden for Exportation to any of the British Colonies or Plantations; and Oranges and Lemons of the Azores or Madeiras, may be shipped from thence for any of the British Colonies or Plantations in North America. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1. 57 Geo. 3. c. 89.

Exception as to Salt, Wine, Oranges, and Lemons;

5. Any Person inhabiting in Jersey or Guernsey, may ship in the said Islands, and transport directly from thence to Newfoundland, or to any other of the British Colonies or Plantations in America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships or on Shore in carrying on the said Fishery there, such Craft, Clothing, or other Goods being the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Victuals being of the Growth or Produce either of Great Britain, Ireland, or Jersey or Guernsey. 9 Geo. 3. c. 28. § 1.

also Articles necessary for the Fishery;

6. Provided the Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Governor, Lieutenant or Deputy Governor, or Commander in Chief for the Time being, that Oath had been made by the Shipper of such Goods, before the Magistrates of the Royal Court, or any Three of them, that the Goods and Victuals so shipped are of such Growth, Product, or Manufacture as aforesaid; which Certificate shall also be attested by the Principal Officer of the Customs in the said Islands, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Craft, Food, Victuals, Clothing, or other Goods found on board any Ship, and the Ship importing the same, shall be liable to

provided a Certificate is produced as herein directed.

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

be seized and forfeited, in the same Manner as they would have been liable if this Act had not been made. 9 Geo. 3. c. 28. § 2.

Except also Herrings from the Isle of Man.

7. Any of His Majesty's Subjects inhabiting and residing in the Isle of Man, may export from thence to any of the British Colonies or Plantations in America, in British-built Ships or Vessels, navigated and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

Tools and Implements for the Fishery from the said Isle.

8. Any of His Majesty's Subjects residing in the Isle of Man may lade and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks, Lines, Nettings, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the said Fishery; such Provisions, Hooks, Lines, Nettings, or other Tools or Implements, being the Product and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

Provided a Certificate is produced as herein directed.

9. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath had been made before him by the Shipper of such Provisions, &c. that the same are the Manufacture of Great Britian or Ireland, or the Isle of Man, and that the said Articles (except the Provisions) specifying the Quantities and Particular of each Sort, are to be used in the Fishery, by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Purpose, (which Oath and Certificate is to be administered and granted without Fee or Reward); and on Failure of producing such Certificate, or if any such Tools or Implements are used or disposed of for any other Purpose,

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

pose, the same and the Ship shall be seized and forfeited in the same Manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Except also Goods imported into the Free Ports.

10. It shall be lawful to export in any British Ship owned and navigated according to Law, from any of the Islands enumerated in these Acts, to any British Colony or Plantation in America or the West Indies, any Goods of the Manufacture of Europe, and also any Goods which shall have been legally imported into any of the said Islands from any of the Colonies or Plantations in America, or any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State; and if any Doubts shall arise whether any such Goods have been legally imported into the said Islands, the Legality of such Importation shall be made appear to the Satisfaction of the Collector and Comptroller, or other proper Officer of the Customs at the Port of Exportation, before such Goods shall be suffered to be shipped. 45 Geo. 3. c. 57. § 9, 10. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

And Goods from other British West India Islands or Colonies on the Continent.

11. Any of His Majesty's Subjects may export in any British-built Ship, owned and navigated according to Law, from any one of the Islands in the West Indies belonging to His Majesty, to any other of the said Islands, or to any of the British Colonies on the Continent of America, and from any one of the said British Colonies in America, to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony or Plantation on the Continent of America, any Goods of the Manufacture of Europe, and also any Goods or Merchandizes, or Prize Goods, which have been legally imported into the said Islands or Colonies under the Regulations of 45 Geo. 3. c. 57.—52 Geo. 3. c. 100. § 1.

Also from Newfoundland.

12. Any of His Majesty's Subjects may export in any British-built Vessel, owned and navigated according to Law, from Newfoundland to any of the Islands in the West Indies belonging to His Majesty, or to any of the British Colonies on the Continent of America, and from the Islands

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

Islands in the West Indies belonging to His Majesty, or from any one of the British Colonies on the Continent of America, into Newfoundland, any Goods of the Manufacture of Europe, and also any Goods, Wares, or Merchandize, or Prize Goods, which shall have been legally imported into any of the said Islands or Colonies, under the Regulations of 45 Geo. 3. c. 57.—57 Geo. 3. c. 29.

Except also Fruit, &c. into British Colonies in North America from Places in Europe South of Cape Finisterre.

13. Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be shipped in any Port or Place of Europe South of Cape Finisterre, for Exportation direct to any of the several Ports herein-after mentioned; that is to say, St. John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, in North America, on board of any British Ship, navigated and registered according to Law, which shall have arrived at any Port or Place in Europe with Articles the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned from the Province of Canada, whether the Growth or Produce of Canada, or brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

On Payment of the same Duty rs from Great Britain.

14. Upon the Importation thereof into any of the Ports before enumerated, the Goods shall be subject to the Payment of such Duties as Goods of the like Denomination or Description are subject to, upon being imported into any of the said several Ports from Great Britain, and no other. 51 Geo. 3. c. 97. § 3.

Oath to be made, on Exportation from Nova Scotia or New Brunswick, that the Cargo is the Produce of the British Colonies.

15. The Person exporting any Cargo from any Port in Nova Scotia, or of New Brunswick, for any Port of Europe, under this Act, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or the Naval Officer in Command, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America,

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

America, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies; and such Officer shall certify such Oath under his Hand; which Certificate shall be produced by the Master on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was a Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

On Exportation of certain Articles from Canada, such Oath may be dispensed with.

16. The following Articles may be exported from Canada in a British-built Ship, navigated and registered according to Law, into any Port of Europe within the Limits aforesaid, without any Oath being required of their being the Growth or Produce of the said Province, or any Certificate being required of the Country from whence they came; that is to say, Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Plank, and Boards; and the Master of any such British-built Ship, lading any of the said Articles, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth, or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs, or Naval Officer, is hereby required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to in Manner aforesaid, by the Master of such Ship at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

Persons in whose Custody Pickled or Dry Fish has

17. Before the Shipment on board any such British Ship of any Pickled Fish, or Dry Fish, for

remained, to make Oath to the Identity.

for the Purpose of Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it until the same shall be shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries, from some of the said Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs, or Naval Officer, shall grant Certificate thereof, signed with his Hand, which Certificate only the Master shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

Except also Corn or Grain on board certain Licensed Vessels.

18. Any Ship having obtained a Licence under this Act for the Exportation of Sugar, Coffee, or Cocoa, from any of His Majesty's Sugar Colonies direct to any Part of Europe to the Southward of Cape Finisterre, may load at the Port of Delivery, or at any Port or Place on the Coast of Africa to the Northward of the Latitude of 30 Degrees North, any Sort of Corn or Grain, the Produce of Europe, for Exportation direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 1. 6.

See SUGAR.

And the several Articles herein enumerated from Malta or Gibraltar.

20. Any Ship being British-built, owned, navigated, and registered according to Law, may load at the Island of Malta, or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the following Schedule, marked (B.), for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or into Newfoundland, the Island of Bermuda, or any of His Majesty's Colonies or Plantations in North America; and any of the said Articles may be landed in any such Colony or Plantation, being first duly entered with the proper Officer of the Customs, provided that the said

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

said Articles, Goods, and Merchandize (Wine excepted) shall, upon Importation into any of the said Colonies or Plantations, be liable to the Payment of such Duties as Goods of the like Denomination or Description are or may be liable to upon being imported into the said Colonies or Plantations from Great Britain, and no other Duties. *55* Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

SCHEDULE B.

Dry and Wet Fruit, Brandy and Sugar } In Jars & Bottles
Pickles in Ditto.
Olives.
Figs.
Raisins.
Currants.
Pistaccio Nuts.
Almonds.
Dates.
Capers.
Wine.
Brandy.
Oil of Cloves.
Oil of Almonds.
Gum Arabic.
—— Mastic.
—— Myrrh.
—— Sicily.
—— Ammoniac.
Opium.
Manna.
Senna.
Cantharides.
Oris Root.
Rhubarb.
Mill Timber.
Box Wood.
Argol.
Jalop.
Scammony.
Quicksilver.
Sarsaparilla.
Saffron.
Safflower.
Musk.
Incense.
Essence of Bergamot.
Do. of Citron.
Do. of Lemon.
Do. of Orange.
Do. of Lavender.
Do. of Roses.
Do. of Rosemary.
Marble, Alabaster, } Rough & Worked.
Brimstone.
Cork.
Aniseed.
Cumminseed.
Ostrich Feathers.
Honey.
Sponges.
Amber.
Coral.
Bullion.
Precious Stones.
Pearls.
Corn.
Vermilion.
Ochres.
Cinnabar.
Orange Buds and Peel.
Juniper Berries.
Punk.
Pumice Stone.
Emery Stone.
Whetstone.
Paintings and Prints.

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

Mosaic Works.
Medals.
Java and Malta Stone for building.
Pozzolana.
Grain.
Meal or Flour.
Beans.
Peas.
Lentils.
Rice.
Maccaroni or Vermicella.
Cascasoo.
Parmesan Cheese.
Bologna and other Sausages.
Anchovies.
Caviar.
Botargo.

Duties to be paid upon Wine.

21. Any Wine, which in pursuance of these Acts shall be imported into any of His Majesty's Sugar Colonies or Plantations in America or Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, from the Island of Malta, or the Dependencies thereof, or from Gibraltar, shall be subject to the Payment of such Duties, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations directly from Madeira. 55 Geo. 3. c. 29. §6. 57 Geo. 3. c. 4.

Except also necessary Supplies from the Netherlands for the Estates of Dutch Proprietors in Guiana.

22. Any of the Subjects of the King of the Netherlands, being Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, may import from the Netherlands into the said Colonies all the usual Articles of Supply for their Estates in the said Colonies, being necessary and requisite as Supplies for the Cultivation of such Estates, or the Clothing, Maintenance, and Comfort of the Residents thereon, and not to exceed what may be deemed necessary for the particular Estates for which they are to be imported, and to be actually applied to such Purposes, and not for Trade; and in case of Seizure by any Officer of the Customs of any such Articles, on the Ground of their being imported not as Supplies, the Proof that such Articles are Supplies, and imported under the Conditions of the Convention concluded between His Majesty and the King of the Netherlands, shall lie on the Dutch Proprietor importing the same; and in case of such Proof being given, in consequence of any Dispute arising thereupon, before the Collector or Principal Officer of the Customs, (who is hereby empowered to administer an Oath, or take Affidavit for the Purposes of any such Examination

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say,

Examination and Proof,) the Goods shall be admitted to Entry, provided the Importer, before Entry, enter into Bond, with Two Sureties, in a sufficient Sum, to abide the Decision of the Board of Customs in England upon such Seizure: Provided also, that Wine, as a Medicine and necessary Article of Supply, may be so imported, to such a limited Extent as may be necessary for the Purposes of such Supply as a Medicine, and shall be liable to the Duty of 10s. per Ton, and no more. 56 Geo. 3. c. 91. § 4.

What Persons are to be deemed Dutch Proprietors of Estates in the said Colonies.

23. All Subjects of the King of the Netherlands, resident in His said Majesty's European Dominions, who were, at the Date of the Signature of the said Convention, Proprietors of Estates in the said Colonies; and all Subjects of His said Majesty who may hereafter become possessed of Estates then belonging to Dutch Proprietors therein; and all such Proprietors as being then resident in the said Colonies, and being Natives of His Majesty's Dominions in the Netherlands, may have declared within Three Months after the Publication of the aforesaid Convention in the said Colonies, that they wish to continue to be considered as such; and all Subjects of His said Majesty the King of the Netherlands, who may be the Holders of Mortgages of Estates in the said Colonies, made prior to the Date of the Convention, and who may, under their Mortgage Deeds, have the Right of exporting from the said Colonies to the Netherlands the Produce of such Estates, shall be deemed Dutch Proprietors under this Act; provided that where both Dutch and British Subjects have Mortgages upon the same Property in the said Colonies, the Produce to be consigned to the different Mortgagees shall be in proportion to the Amount of the Debts respectively due to them. 56 Geo. 3. c. 91. § 5.

Articles for the Supply of the Estates may be imported from the Netherlands in Dutch Ships.

24. All such Importation from the Netherlands into the said Colonies, for the Supply of Estates therein, may be carried on in any Ships being the Property of Subjects of the King of the Netherlands, wherever built, and without any Restriction as to the Mariners navigating the same, for Five Years commencing from the First

Europe.

But Commodities may be imported into the British Colonies, &c.

First Day of January 1816; provided that the Master of every such Ship shall produce to the proper Officer of His Majesty's Customs in the said Colonies, satisfactory Proof of the said Vessels being owned by a Subject of His Majesty the King of the Netherlands; and his said Majesty the King of the Netherlands may at any Time before the Expiration of the Five Years, if he should think proper, order that such Trade shall be carried on only in such Ships as are Dutch-built, and whereof the Master and Three Fourths of the Crew are the Subjects of His said Majesty: Provided also, that after the Expiration of the Five Years, no such Trade shall be carried on except in Vessels Dutch-built, and whereof the Master and Three Fourths of the Crew are Subjects of His Majesty the King of the Netherlands. 56 Geo. 3. c. 91. § 6.

25. All such Importations shall be subject to the same Duties as are payable by His Majesty's Subjects on Importations of the like Articles into the said Colonies. 56 Geo. 3. c. 91. § 7.

Articles allowed to be exported direct to Malta or Gibraltar.

26. Sugar, Coffee, Cocoa, Rum, Melasses, Pimento, Indigo, Ginger, Dying Wood, being the Produce of any of His Majesty's Sugar Colonies or Plantations, or any Articles which may now or may hereafter be by Law imported into the said Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar; and any Articles, the Production or Manufacture of Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, and any Articles which may have been lawfully imported into Newfoundland, &c. may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, under the Rules and Regulations of these Acts. 55 Geo. 3. c. 29. § 1. 8. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Exuma.

Vessels of the United States may be there laden with Salt.

Until 25th March 1819, any Ship belonging to the United States, coming in Ballast and not otherwise, may enter the Port of Exuma for the Purpose of being there laden with Salt, and for no other Purpose whatever, subject to the Rules, Provisions, Regulations, and Restrictions of

Eruma.

28 Geo. 3. c. 6. respecting Ships coming for the same Purpose to Turk's Island. 57 Geo. 3. c. 42. § 1.
See BAHAMA AND BERMUDAS.

Falmouth.

One of the Free Ports in the Island of Jamaica, for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. § 1. A Free Port.
See FREE PORTS.

Fees.

1. The Officers of the Customs in any British Colony or Plantation in America appointed by Deputation or Commission from the Commissioners of His Majesty's Customs in England, may receive such Fees as they and their Predecessors have been generally and usually accustomed to receive before 29th September 1764, provided such Fees are not contrary to the Direction of any Act made in Great Britain; and in every Port in any British Island in the West Indies, where no Fees have been received, such Officers shall be entitled to the same Fees as have been generally and usually received by the like Officers, in the nearest Port in the Island, before the 29th September 1764; and if no Fees have been received by any Officer in any Port in the Island, such Officer shall be entitled to such Fees as have been generally and usually received by the like Officers in the Island of Barbadoes before the said Day; and in every Port or Place on the Continent of America, within His Majesty's Dominions, where no Fees have been received by any Officer of the Customs, such Officer shall be entitled to the same Fees as have been generally and usually received by the like Officers, in the nearest Port, on or before the said Day; and if no Fees have been received by any Officer in such Port, such Officers shall be entitled to such Fees as have been generally and usually received by the like Officers, in the nearest Port within any British Colony or Plantation, on or before the said Day; and if no Fees have been generally and usually received by any Comptroller of His Majesty's Customs for any Port or Place within any Colony or Plantation, or if the Fees received by such Comptroller before the said Day have not been equal to One Third Part of the Fees received Allowed to Officers of the Customs in America and the Islands in the West Indies.

by the Collector of His Majesty's Customs within the same Port or Place, in every such Case such Comptroller may receive for his Fees, for any Entry, or other Business done by him in the Execution of his Employment, a Sum equal to One Third Part of the Fees generally and usually received by such Collector for the like Business; and every such Officer shall have and be entitled to the same Remedy for Recovery of such Fees as has been heretofore allowed to any Collector or other Officer; and if any Collector, Comptroller, or other Officer of the Customs in America, shall require or receive any other or greater Fees than herein allowed to be taken, he shall for the First Offence forfeit £50, and for the SecondOffence forfeit his Place, and be for ever incapable of executing any Office or Employment in the Customs. 5 Geo. 3. c. 45. § 28. 10 Geo. 3. c. 37. § 1.

Taking greater Fees than allowed.

Upon each Report of Fishing Vessels at Newfoundland.

2. A Fee not exceeding Two Shillings and Sixpence may be taken by Officers of the Customs at Newfoundland for each Report of the Master of every Vessel fitted and cleared out from Great Britain as Fishing Ships, upon his first Arrival there, and at his clearing out from thence, and no other Fee shall be taken or demanded by any Officer of the Customs there relative to the said Fishery. 12 Geo. 3. c. 31. § 7.

Officers in Newfoundland to have the same Fees for all Business done as were allowed at Halifax.

3. So long as 10 Geo. 3. c. 37. shall remain in force*, the Officers of His Majesty's Customs in Newfoundland shall be entitled to receive such Fees for all Business done by them in the Execution of their Duty, as were legally demanded and taken by the like Officers of the Customs at the Port of Halifax in Nova Scotia on or before 1st January 1768, provided the said Fees are not contrary to the Directions of any Act made in Great Britain; and the said Officers shall have the like Remedy for the same, and be liable to the same Forfeitures and Disabilities for receiving any greater or other Fees than are allowed to be taken, as are inflicted in such Cases by 5 Geo. 3. c. 45. and 10 Geo. 3. c. 37.—16 Geo. 3. c. 47. § 3. 45 Geo. 3. c. 68. § 5.

For Certificates upon shipping Coffee.

4. For every Certificate granted upon the shipping of Coffee and Cocoa Nuts in pursuance of these Acts, the Collector and Comptroller and Naval Officer shall re-

---

* *This Act was made perpetual by* 45 *Geo.* 3. *c.* 68. § 5.

ceive

ceive as a Fee or Reward the Sum of Five Shillings, and no more. 5 Geo. 2. c. 24. § 3. 23 Geo. 3. c. 79. § 7.

See COFFEE AND COCOA NUTS.

5. The Fees now payable upon the Registry or Transfer of Property in any Vessel shall continue to be paid as heretofore, except upon the First Registry, in pursuance of this Act, of any Ship built and registered before 1st May 1786. 26 Geo. 3. c. 60. § 37.

Upon the Registry or Transfer of British Ships.

See REGISTRY OF BRITISH SHIPS.

6. The Collectors and Comptrollers in the British Colonies and Plantations may receive Two Shillings and Sixpence of the Masters of British Ships upon delivering the List of the Crew on board such Ships at the Time of Arrival in the said Colonies or Plantations, and also of the Wages due to such as may have died during the Voyage, and may receive One Shilling from any Person inspecting such List. 37 Geo. 3. c. 73. § 5.

On the Delivery of Lists of the Crew and Wages due to such as have died, and for inspecting the same.

7. No Fees shall be demanded or received by any Officer in the Free Ports, for any Entry, Cocket, Clearance, or Passport for any Foreign Vessel, or for any Goods imported into or exported from the said Islands in any such Foreign Vessels, under the like Pains and Penalties as are inflicted upon Officers receiving greater Fees than are allowed by any Act now in force. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

Not to be paid for Vessels or Goods under the Free Port Acts.

See FREE PORTS.

Figs,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Fisheries.

1. Salt for the Fisheries of Newfoundland, Nova Scotia, and Quebec, may be laden in any Part of Europe on board any British-built Vessel owned, navigated, and

Salt may be imported from any Part of Europe.

registered according to Law. 15 Car. 2. c. 7. § 6. 2 Geo. 3. c. 24. § 7. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1.

Also Goods fit and necessary for the Fishery from Guernsey or Jersey;

2. Any Person inhabiting in Jersey or Guernsey may lade in the said Islands, and transport directly from thence to any of the British Colonies in America where the Fishery is carried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships, or on Shore, in carrying on the said Fishery there; provided such Craft, Clothing, or other Goods, are the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Victuals are the Growth or Produce either of Great Britain, Ireland, or the said Islands. 9 Geo. 3. c. 28. § 1.

upon the Conditions herein mentioned.

3. Provided also, that the Master of the Ship produce to the proper Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Deputy Governor, or Commander in Chief, that Oath had been made by the Shipper of such Goods, before the Magistrates of the Royal Court in Jersey or Guernsey, or any Three of them, that the Goods and Victuals so shipped are of such Product or Manufacture, which Certificate shall also be attested by the principal Officer of the Customs in the said Island, who shall certify that the said Oath was taken in his Presence; and on Failure of producing the Certificate, such Food, &c. found on board any Ship, and the Ship importing the same, shall be seized and forfeited, in the same Manner as if this Act had not been made. 9 Geo. 3. c. 28. § 2.

Herrings may be imported from the Isle of Man;

4. Any of His Majesty's Subjects residing in the Isle of Man may export from thence to any of the British Colonies or Plantations in America, in British-built Ships owned, navigated, and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

also Tools and Implements from the said Isle;

5. Any of His Majesty's Subjects residing in the Isle of Man may ship and lade there, and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks,

Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Vessels in the Fishery; such Provisions, Hooks, Lines, Netting, or other Tools or Implements, being the Product and Manufacture of Great Britain, Ireland, or the said Isle of Man. 15 Geo. 3. c. 31. § 5.

Upon the Conditions herein mentioned.

6. Provided the Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, Hooks, Lines, Netting, or other Tools and Implements, that the same are of the Product and Manufacture of Great Britain or Ireland, or the Isle of Man, and that the several Articles before mentioned (except the Provisions), specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the said Fishery, and for no other Use or Purpose whatsoever (which Oath and Certificate such Collector or other Officer is required to administer and grant without Fee or Reward); and on Failure of producing such Certificate, or if any such Hooks, Lines, Netting, Tools, and Implements, are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited, as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Fish may be exported to any Part of Europe South of Cape Finisterre.

7. Fish taken and cured by His Majesty's Subjects carrying on the Fishery from any of the following Ports in North America, that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburne in Nova Scotia, and Charlotte Town in Prince Edward's Island, or taken and cured by His Majesty's Subjects carrying on the Fishery from any Part of the United Kingdom, may be exported from any of the said Colonies to any Part of Europe South of Cape Finisterre, on board any British-built Vessel owned, navigated, and registered according to Law; and any such Ship, after discharging the Cargo of Fish, may lade in any such Part of Europe Fruit, Wine, Oil, Salt, or Cork, for Exportation

portation direct to the said Colonies, under the Regulations hereafter mentioned. 51 Geo. 3. c. 97. § 2.

Oath to be made that the Fish is British taken and cured, and Certificate produced at the Port of Arrival in Europe.

8. The Persons exporting a Cargo from any Port in Nova Scotia or New Brunswick to any such Part of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or the Naval Officer, that the Cargo so shipped is the Produce of the British Fisheries in North America, and bonâ fide taken and cured by His Majesty's Subjects carrying on such Fisheries from some of the said Colonies, and such Officer of the Customs or Naval Officer shall certify such Oath under his Hand, which Certificate shall be produced by the Master, on his Arrival at the Port in Europe to which such Cargo shall be conveyed, or to which she shall go for the Delivery of the Cargo, and the Master shall make Oath before the British Consul there, or if no Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

The Person in whose Possession the Fish continued until shipped, to make Oath to the Identity, of which a Certificate is to be granted.

9. Before shipping any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fishery from some of the said Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, signed with his Hand, which Certificate the Master of such Ship shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in Manner aforesaid. 51 Geo. 3. c. 97. § 6.

Vessels employed in the Fishery, or in trading Coastwise, not required to be registered.

10. Vessels not exceeding Thirty Tons Burthen, not having a Deck, employed solely in the Fishery on the Banks or Shores of Newfoundland, the Province of Quebec, Nova Scotia, New Brunswick, adjacent to the Gulf of Saint Lawrence, and to the North of Cape Canso, or the Islands within the same, or in trading

Coastwise within the said Limits, are not required to be registered. 26 Geo. 3. c. 60.

See REGISTRY OF BRITISH SHIPS.

11. Certain Articles, the Produce or Manufacture of the United States of America, may be imported into Newfoundland and Quebec for the Use of the Fisheries there. 28 Geo. 3. c. 6. § 13. 29 Geo. 3. c. 16. § 1.

Articles may be imported from the United States.

See NEWFOUNDLAND.

QUEBEC.

12. The Right of carrying on the Fishery at Newfoundland, and going on Shore for the Curing, Salting, Drying, and Husbanding Fish, vested in His Majesty's Subjects. 10 & 11 W. 3. c. 25. § 1. 12 Geo. 3. c. 31. § 4. 51 Geo. 3. c. 45. § 2.

The Right of Fishing and curing Fish at Newfoundland.

See NEWFOUNDLAND.

13. Oil and Blubber taken and caught on the Banks and Shores of Newfoundland by British Subjects shall not be admitted to Entry as such in Great Britain, unless accompanied with a Certificate under the Hand and Seal of the Governor, Deputy Governor, Naval Officer, or other Principal Officer, or a Justice of the Peace, testifying that Oath had been made before him that the Oil and Blubber was really the Produce of Fish, or Creatures living in the Sea, taken by His Majesty's Subjects carrying on such Fishery, and usually residing in Newfoundland, or in His Majesty's European Dominions. 55 Geo. 3. c. 125.

Certificate required on Exportation of Oil and Blubber from Newfoundland.

See NEWFOUNDLAND.

Flax. See "Hemp."

Flour. See "Corn."

Free Ports.

1. Wool, Cotton Wool, Indigo, Cochineal, Drugs of all Sorts, Cocoa, Logwood, Fustic, and all Sorts of Wood for Dyers Use, Hides, Skins, and Tallow, Beaver and all Sorts of Furs, Tortoise Shell, Hard Wood or Mill Timber, Mahogany, and all other Woods for Cabinet Ware, Horses, Asses, Mules and Cattle, the Growth or Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign.

Certain Articles may be imported into the Free Ports herein mentioned in Vessels owned and navigated by Persons inhabiting Colonies under Foreign European States.

Free Ports.

Sovereign or State, Coin, Bullion, Diamonds, Precious Stones, may be imported from any of the said Countries, into the Ports hereafter mentioned; that is to say,

Ports.	Islands.
Kingston, Savannah La Mar, Montego Bay, Santa Lucea, Antonio, Saint Anne, Faimouth, and Maria	Jamaica.
Saint George	Grenada.
Roseau	Dominica.
Saint John's	Antigua.
San Josef	Trinidad.
Scarborough	Tobago.
Road Harbour	Tortola.
Nassau	New Providence.
Pitt's Town	Crooked Island.
Kingston	Saint Vincent.
The Principal Port	Bermuda.
Any Port where there is a Custom-house	Bahamas.
Bridgetown	Barbadoes.

In any Foreign Sloop, Schooner, or other Vessel *, being owned and navigated by Persons inhabiting any of the said Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

Tobacco may be imported in such Vessels, and exported to the United Kingdom.

2. Tobacco, the Growth or Production of any Island in the West Indies, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any such Island or Country, into any of the Ports herein-before enumerated, in the like Foreign Vessels, and be again exported from thence to any Part of the United Kingdom, under the same Restrictions, Penalties, and Forfeitures, as are in this Act contained with regard to the Goods herein-before enumerated. 45 Geo. 3. c. 57. § 2.

---

* *So much of the* 45 *Geo.* 3. *c.* 57. *as confined the Trade to Vessels not having more than One Deck, is repealed by the Acts* 50 *Geo.* 3. *c.* 21. *and* 54 *Geo.* 3. *c.* 48.

Sugar and Coffee of Foreign Colonies may be imported into certain Ports in such Vessels.

3. It shall be lawful to import into the said Port of Nassau in the Island of New Providence, and into the said Port of Pitt's Town in Portland Harbour in Crooked Island, and into such other Ports in the said Bahama Islands, and into the principal Port in the Island of Bermuda, and into such Ports in the Islands called Caicos as shall be approved by His Majesty in Council, Sugar and Coffee, the Produce of any Foreign Country or Plantation, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods and Merchandize hereinbefore enumerated; and such Sugar and Coffee may be so imported into and exported from any of the said Ports without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

Certain Articles permitted to be imported into and exported from Road Harbour in Tortola in Foreign Vessels;

4. His Majesty, by and with the Advice of the Privy Council, may permit the Importation into the Port of Road Harbour in the Island of Tortola, one of the Virgin Islands, and the Exportation from thence into this Kingdom, of all Goods permitted to be imported into the Port of Nassau in the Island of New Providence, and to be exported from thence to this Kingdom, in the same manner, on the same Duties and Drawbacks, and subject to the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as are provided in 45 Geo. 3. c. 57. respecting Importation into and Exportation from the Port of Nassau, and further subject to such Rules, Regulations, Conditions, and Restrictions, as shall from Time to Time be directed by His Majesty, by and with the Advice aforesaid. 46 Geo. 3. c. 72. § 1.

also Sugar without Payment of Duty.

5. His Majesty, by and with the Advice of His Privy Council, may permit the Importation into the Port of Road Harbour in Tortola, and Exportation from thence, without Payment of any Duty of Customs, of all Sugar, subject to such Rules, Regulations, and Restrictions as may be directed by His Majesty, by such Advice as aforesaid; and all Sugar imported into the United Kingdom from Tortola, (except such Sugar as shall be of the Growth and Produce of the British Virgin Islands, and exported as such under the Certificates of the Collector and Comptroller of the Customs of the said Islands, which Certificate shall be given in such Form as shall be directed by His Majesty, by and with the Advice of His Privy Council, and shall not be given in any one Year for any greater Quantity than 5,880,000 Pounds Weight), shall

shall be deemed to be Foreign Sugar, and be imported into the United Kingdom as such, and subject to all Rules, Regulations, and Restrictions relating thereto. 46 Geo. 3. c. 72. § 2.

Rice, Grain, and Flour may be imported into the Ports enumerated in No. 1. and in Foreign Vessels.

6. In addition to the Articles enumerated in 45 Geo. 3. c. 57. it shall be lawful to import, under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures provided in the said Act, Rice, Grain of all Sorts, and Flour, from any Colonies or Plantations in America, belonging to or under the Dominion of any Foreign European Sovereign or State, into any of the Ports enumerated in No. 1, in any Foreign Vessel whatever, manned and navigated by Persons inhabiting any of the said Colonies or Plantations. 48 Geo. 3. c. 125. § 2.

No other Goods to be imported into the Free Ports in Foreign Vessels.

7. No Goods except such as are before enumerated shall be imported in any Foreign Vessel from any of the Colonies or Plantations in America, or any Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into any of the before-mentioned Ports, on Forfeiture thereof, with the Vessel in which imported; and the same may be seized by any Officer or Officers of His Majesty's Customs or Navy authorized to make Seizures, and shall and may be prosecuted in manner herein-after directed. 45 Geo. 3. c. 57. § 7.

Certain Articles may be exported from the said Ports in Foreign Vessels.

8. It shall be lawful to export from any of the said Ports (See No. 1.) to any of the Colonies or Plantations in America, or any Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, in any Sloop, Schooner, or Vessel owned and navigated by Persons inhabiting any such Colony, Plantation, or Country, Rum of the Produce of any British Island * which shall have been brought into the said Islands in British-built Ships owned, navigated, and registered according to Law; and all Goods which shall have been legally imported into the said Islands, except Masts, Yards, or Bowsprits, Pitch, Tar, and Turpentine, and except such Iron as shall have been brought from the British Colonies or Plantations in America. 45 Geo. 3. c. 57. § 8.

---

* *Negroes were also allowed to be exported to Foreign American Colonies, but such Exportation is now prohibited by the Acts for abolishing the Slave Trade.* See "Slaves."

9. It

9. It shall be lawful to export in any British Ship, owned and navigated according to Law, from any of the said Ports to any British Colony or Plantation in America or the West Indies, any Goods of the Manufacture of Europe, and any Goods which shall have been legally imported into any of the said Ports from any of the Colonies or Plantations in America, or in any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. § 9.

Goods of Europe, or which have been imported into the Free Ports, may be exported from thence to other British Colonies.

10. But if any Doubts shall arise whether any such Goods intended to be so exported shall have been legally imported into the said Ports, the Legality of such Importation shall be made appear to the Satisfaction of the Collector and Comptroller, or other Principal Officer of the Customs at the Port of Exportation, before such Goods shall be suffered to be shipped for Exportation. 45 Geo. 3. c. 57. § 10.

In cases of Doubt, the Legality of Importation to be made appear to the Officers.

11. All Wool, Cotton Wool, Indigo, Cochineal, Drugs of all Sorts, Cocoa, Logwood, Fustick, and all Sorts of Wood for Dyers Use, Hides, Skins, and Tallow, Beaver and all Sorts of Furs, Tortoise Shell, Mahogany, and all other Woods for Cabinet Ware, of the Growth or Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, shall be allowed to be exported from any of the said Ports, (See No. 1) to any Part of the United Kingdom of Great Britain and Ireland, under the Restrictions, Securities, Penalties, and Forfeitures provided in 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57. § 11. 49 Geo. 3. c. 22. § 1.

The Articles imported into the Free Ports may be exported to the United Kingdom.

12. No Goods of the Production or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, shall be exported from any of the Free Ports to any other British Colony or Plantation in America or the West Indies, upon Forfeiture thereof with the Ship. 45 Geo. 3. c. 57. § 12.

East India Goods not to be exported to any other British Colony.

13. If any Foreign Vessel, arriving at any of the aforesaid Ports, shall have on board any Goods of the Production or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, such Goods shall be forfeited, with the Ship in which brought, whether such Goods

East India Goods found on board Foreign Vessels forfeited.

Goods shall be intended to be landed, or whether Bulk shall have been broken or not. 45 Geo. 3. c. 57. § 13.

No Fees to be charged by the Officers.

14. No Duty of Gunpowder, nor any Fee, shall be received by any Officer in the Free Ports for any Entry, Cocket, Clearance, or Passport for any Foreign Vessel, or for any Goods imported into or exported in such Foreign Ships or Vessels, under the like Pains and Penalties as are inflicted upon Officers receiving greater Fees than are allowed by any Act of Parliament now in force for regulating the Fees of the Officers of the Customs in His Majesty's Colonies and Plantations in America. 45 Geo. 3. c. 57. § 14.

How Penalties and Forfeitures to be recovered and divided.

15. All Penalties and Forfeitures imposed by this Act may be prosecuted, sued for, recovered, and divided in Great Britain, or in any of His Majesty's Colonies or Islands in America, in the same Manner and Form, and by the same Rules and Regulations in all respects, as far as the same are applicable, as any other Penalties and Forfeitures imposed by any Act of Parliament made for the Security of the Revenue of the Customs, or for t Regulation or Improvement thereof, or for the Regula tion of Trade or Navigation, and which were in force before the passing of this Act, may be prosecuted, sued for, recovered, and divided in any of His Majesty's Colonies or Islands in America. 45 Geo. 3. c. 57. § 15.

Peas and Beans may be imported into the Ports enumerated in No. 1. and in the like Vessels.

16. Peas and Beans, the Growth of any of the Colonies or Possessions in the West Indies, or on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported into any of the Ports in His Majesty's Colonies or Plantations in the West Indies enumerated in 45 Geo. 3. c. 57. 46 Geo. 3. c. 72. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. and 57 Geo. 3. c. 74. in Vessels of the like Description, and subject to the like Rules, Regulations, and Restrictions, as are required by the said Acts, permitting certain Articles to be imported into the Ports enumerated therein in Vessels of the like Description, and subject to the like Rules, Regulations, and Restrictions, as are required by 50 Geo. 3. c. 21. * 58 Geo. 3. c. 27. § 2.

---

* *This Act (which was made perpetual by* 54 *Geo.* 3. c. 48.) *permitted the Importation and Exportation of the Articles, under the Rules and Regulations of* 45 *Geo.* 3. c. 57. *in any Foreign Vessel, although having more than one Deck.*

17. Any

17. Any Foreign Vessel described in 45 Geo. 3. c. 57. may come in Ballast into any Port of the Bahama Islands where there is a Custom-house, and export the Articles allowed by the said Act to be exported, conformably with the Regulations of the said Act, and also export Salt, subject to the Duty of Tonnage, and under the Regulations imposed by 28 Geo. 3. c. 6.—52 Geo. 3. c. 99.

See "SALT."

Foreign Vessels may export Salt and other Articles from the Bahamas.

18. Any of His Majesty's Subjects may export, in any British-built Vessel owned and navigated according to Law, from any of the Islands in the West Indies belonging to His Majesty to any other of the said Islands, or to any of the British Colonies on the Continent of America, and from any one of the said British Colonies in America to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony or Plantation on the Continent of America, any Goods of the Manufacture of Europe, and any Goods or Prize Goods which have been legally imported into any of the said Islands or Colonies, under the Rules, Regulations, and Restrictions of 45 Geo. 3. c. 57.—52 Geo. 3. c. 100.

Certain Goods may be exported from one British Island in the West Indies, or Colonies on the Continent, to another.

19. Any of His Majesty's Subjects may export, in any British-built Vessel owned and navigated according to Law, from the said Island of Newfoundland to any of the Islands in the West Indies belonging to His Majesty, or to any of the British Colonies on the Continent of America, and from any one of the said Islands in the West Indies belonging to His Majesty, or from any one of the said British Colonies on the Continent of America, into Newfoundland, any Goods the Manufacture of Europe, and any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies under the Rules, Regulations, and Restrictions contained in 45 Geo. 3. c. 57.—57 Geo. 3. c. 29.

The like Goods may be exported from Newfoundland to the said Islands and Colonies, or from thence to Newfoundland.

Fruit.

1. The Produce of Europe South of Cape Finisterre may be shipped and laden in any Port of Europe South of Cape Finisterre for Exportation direct to any of the Ports herein-after mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, all in North America, on board of

Vessels from British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Fruit the Produce of Europe.

of any British Ship owned, navigated, and registered according to Law, which shall have arrived at any Port of Europe South of Cape Finisterre with Articles of the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or Plantations, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned (See No. 4.) from the Province of Canada, whether such Goods shall be the Produce of Canada, or shall have been brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Duties thereon.

2. Upon the Importation thereof into any of the said Ports, the same shall be subject and liable to such Duties as Goods of the like Denomination are liable to upon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Province or of the British Fisheries; and Certificates thereof to be produced.

3. The Person exporting a Cargo from Nova Scotia or New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or before the Naval Officer in Command at such Port, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations, and such Officer shall certify such Oath under his Hand; which Certificate shall be produced by the Master of the Ship on board of which any such Cargo is shipped, on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

Certain Articles may be exported from Canada without such Oath, on producing a Certificate of the regular Importation by

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Plank and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required

quired to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were the Growth of or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs, or Naval Officer, is required to grant upon satisfactory Proof being made upon Oath or otherwise, and the Authenticity of such Certificate shall be sworn to in manner aforesaid by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97 § 5.

Land or Inland Navigation.

5. Before the Shipment of any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and, upon such Oath being taken, the said Officer of the Customs, or Naval Officer shall grant Certificate thereof signed with his Hand, which Certificate only the Master of such Vessel shall be required to produce at the Port of Delivery, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

Oath to be made before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

6. Any Goods subject to Forfeiture under this Act may be seized by any Officer of the Customs in the said Colonies or Plantations, or by the Commander of any of His Majesty's Ships or Vessels of War, and may be prosecuted, sued for, recovered, and divided in the same Manner, by the same Rules and Regulations, as far as the same are applicable, as any other Forfeiture imposed by any Act made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force on the passing of this Act. 51 Geo. 3. c. 97. § 7.

By whom Ships and Goods may be seized and prosecuted.

DRY AND WET, IN BRANDY AND SUGAR, IN JARS AND BOTTLES.

7. May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His

Importation allowed from Malta or Gibraltar.

His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Of the United States may be imported into Bermuda in Foreign Vessels.

8. The Produce of the United States of America may be imported from the said States into Saint George or Hamilton in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, under the Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures provided by 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. — 57 Geo. 3. c. 28. § 1.

See BERMUDA.

May be imported in Foreign Vessels into Ports to be approved by His Majesty in Nova Scotia or New Brunswick.

9. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Fruits into such Ports as shall be specially appointed for that Purpose within the Provinces of Nova Scotia or New Brunswick; provided that the said Fruits shall not be imported in any Foreign Vessel unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Fruits may be exported either to the United Kingdom, or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

Subject to such Rules and Regulations as His Majesty may direct.

10. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of the said Fruits at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

11. This Act shall continue in force for the Space of Three Years from and after the passing of the same*, and until Six Weeks after the Commencement of the then next Session of Parliament 58 Geo. 3. c. 19. § 7.

---

* 8th *May* 1818.

1. Beaver Skins, and other Furs, of the Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo 1. c. 15. § 24. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

Not to be exported, unless to some other Plantation, or Great Britain or Ireland.

For the Restrictions, Penalties, and Forfeitures, to secure the landing in the British Plantations, or in Great Britain or Ireland,

See Ashes, Pot, and Pearl.

2. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel whatever, being owned and navigated by Persons inhabiting any of the said Colonies or Plantations. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

May be imported into the Free Ports in Foreign Vessels;

See Free Ports.

3. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

and exported from thence to the United Kingdom.

See Free Ports.

Gibraltar.

The Trade between Gibraltar and His Majesty's Colonies and Plantations in America shall be carried on in like manner, and under the like Rules, Regulations, and Restrictions, and subject to the like Penalties and Forfeitures, as are provided by 55 Geo. 3. c. 29. with respect to the Island of Malta and His Majesty's Colonies and Plantations in America, as if the same were particularly repeated in the Body of this Act. 57 Geo. 3. c. 4.

The Trade to be under the same Regulations as with Malta.

See Malta.

Ginger.

Not to be exported, unless to some other Plantation, or Great Britain or Ireland.

1. The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26 § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 G. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures, to secure the landing in the British Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

Duty upon Exportation.

2. There shall be paid to His Majesty One Shilling for every 112lbs. Weight of Ginger shipped in His Majesty's Plantations, if Bond is not first given with One sufficient Surety to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Lading thereof. 25 Car. 2. c. 7. § 2.

How to be levied and disposed of.

3. The said Duty shall be levied by the Commissioners of the Customs in England, under the Direction of the Lords of the Treasury, and shall be deemed to be Sterling Money of Great Britain, and paid to the Amount of the Value which such Nominal Sums bear in Great Britain, and according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 25 Car. 2. c. 7. § 3. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

Officers may accept a Proportion of the Commodity.

4. In case any Person liable to pay the Duty shall not have Money to answer and pay the same, the Officers shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the Current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. § 4.

Bond to be given to bring the same to Great Britain, Ireland, or some British Plantation.

5. Notwithstanding the Payment of the said Duty, no Ginger shall be shipped until the Security required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of Ship and Goods. (See No. 1.) 7 & 8 W. 3. c. 22. § 8.

Laws void, if repugnant to this Act.

6. All Laws, Usages, or Customs, in Force or Practice in any of the said Plantations, repugnant to this Act, are null and void. 7 & 8 W. 3. c. 22. § 9.

If

Shipped without Payment of the Duty.

7. If the Goods shall be laden before the Duties are paid, every Person assisting or otherwise concerned in the Loading Outwards, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value of the Goods, to be computed according to the best Price that the Commodity bears at the Place where the Offence is committed; and all the Boats whatsoever made use of in the Loading shall be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 8, 9. 4 Geo. 3. c. 15. § 37.

Duty on Exportation to the United States.

8. May be exported from the West India Islands to any Place within the Territories belonging to the United States of America, on Payment of the same Duties to which the Article is liable if exported to any British Colony or Plantation in America; and the said Duties shall be raised, recovered, and applied in the same manner as the Duties on Ginger exported to any British Colony or Plantation in America; provided that no Ginger shall be so exported other than by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, under Forfeiture thereof, and also of the Ship. 28 Geo. 3. c. 6. § 3.

Where Bond is required on Exportation to a British Colony, a similar Bond to be given on Exportation to the United States.

9. Where, on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate is required to discharge such Bond *, a similar Bond shall be required on Exportation of such Goods to the United States; and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificates; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Vessel, that the Goods were there duly landed. 28 Geo. 3. c. 6. § 4.

---

* *A Bond is required on the Exportation of Ginger. See No.* 1.

Ginger.

May be exported to Malta or Gibraltar.

10. The Growth of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported from thence direct to the Island of Malta or the Dependencies thereof, or to Gibraltar, in such Ships or Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Glass.

Duty on the Importation from Great Britain or Ireland.

1. There shall be paid to His Majesty, upon the Sorts of Glass hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Cwt. Avoirdupois of Crown, Plate, Flint, and White Glass, Four Shillings and Eight-pence:

For every Cwt. Avoirdupois of Green Glass, One Shilling and Two-pence. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

To be recovered as other Duties, and applied for the Use of the Colonies where found necessary, and the Residue paid into the Exchequer.

2. The Duties shall be deemed Sterling Money of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, in the same Manner, and by such Rules, Penalties, and Forfeitures, as any other Duties payable upon Goods imported into the said Colonies or Plantations may be paid and recovered; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, recovering, and accounting for the same) shall be applied in making Provision for the Administration of Justice and the Support of Civil Government in such of the said Colonies and Plantations where it shall be found necessary, and the Residue shall be paid into His Majesty's Exchequer, and be entered separate from other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 39 & 40 Geo. 3. c. 67. Art. 4.

3. His

3. His Majesty, by any Warrant under His Royal Sign Manual, countersigned by the High Treasurer, or any Three of the Commissioners of the Treasury, may cause such Monies to be applied out of the Produce of the Duties granted by this Act, as His Majesty shall think necessary for defraying the Charges of the Administration of Justice and the Support of Civil Government within all or any of the said Colonies or Plantations. 39 & 40 Geo. 3. c. 67. Art. 5.

His Majesty may appropriate the Duties for the Use of all or any of the Colonies.

Goods.

1. Every Person importing by Land any Goods into any Colony, Territory, or Place to His Majesty belonging or in His Possession in America, shall deliver to the Governor of such Colony, &c. or to such Officer as shall be by him thereunto authorized, within Twenty-four Hours after such Importation, his Name and Surname, and a true Inventory and Particular of such Goods. No Ship coming to any such Colony, &c. shall lade or unlade any Goods, until the Master shall have made known to the Governor, or such Officer so authorized, the Arrival of the said Ship, with her Name, and the Name of the Master, and have shewn to such Governor or Officer that she is British-built, and registered and navigated according to Law; nor until the Master shall have delivered to such Governor or Officer a true Inventory or Invoice of the Lading, with the Places at which the Goods were taken on board, on Forfeiture of the Ship, and all such Goods, the Manufacture of Europe, as were not laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 7 & 8 W. 3. c. 22. § 2. 3 & 4 Ann. c. 6. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

Imported by Land, Inventory to be delivered to Governor.

Ships not to unlade until the Master shall make known his Arrival to the Governor, and delivered Invoice:

2. No Ship required to be registered, and carrying any Goods to or from the British Plantations in America, or to or from one Plantation to another, shall be permitted to trade, or be deemed qualified for that Purpose, until the Master shall, upon Oath (or in case of a Quaker, upon his solemn Affirmation), before the Governor or Collector of the Customs of the Plantation where he shall arrive, give a true Account of the Name and Burthen of the Ship, and other Particulars, according to the Form following; that is to say,

no ntil the Master makes Oath to the Particulars herein mentioned, before the Governor or Collector of the Customs.

'A. B. maketh Oath (or, if a Quaker, solemnly 'affirms) that the Ship called the whereof 'he (this Deponent or Affirmant) is the Master, or 'hath the Charge or Command, being of the Burthen 'of Tons, came last from and 'that she is, as he verily believes, the same Ship or 'Vessel described, meant, and intended in and by 'the Certificate now produced by him; and that the 'same does now, as he believes, belong wholly to His 'Majesty's British Subjects, and that no Foreigner 'has directly or indirectly any Share, Property, or 'Interest therein, to his Knowledge or Belief.'

And in case any Ship shall unload any Goods in any of His Majesty's Plantations in America before such Proof shall be made, such Ship shall be forfeited and prosecuted in like Manner as if she had not been registered. 15 & 16 Geo. 2. c. 31. § 1.

The Master to come direct to the Custom-house, and make Entry of his Ship, before he proceeds to the Place of unloading;

3. The Master of every Ship arriving in any British Colony or Plantation in America shall, before he proceeds to the Place of unloading, come directly to the Custom-house for the Port or District where he arrives, and make a just and true Entry upon Oath before the Collector and Comptroller, or other Principal Officer of the Customs there, of the Burthen, Contents, and Lading of such Ship, with the particular Marks or Numbers, Qualities and Contents, of every Parcel of Goods therein laden, to the best of his Knowledge, also where and in what Port she took in her Lading, of what Country built, how manned, who was Master during the Voyage, and who are Owners thereof, and whether any and what Goods, during the Course of such Voyage, had or had not been discharged out of such Ship, and where; and the Master of every Ship going out from any British Colony or Plantation in America, before he shall lade any Goods to be exported, shall in like manner enter and report Outwards such Ship, with her Name and Burthen, of what Country built, and how manned, with the Names of the Master and Owners thereof, and to what Place he intends to pass or sail; and, before he shall depart, he shall also deliver unto the Collector and Comptroller or other Principal Officer of the Customs at the Port or Place where he shall lade, a Content in Writing under his Hand of the Name of every Person who shall have laden any Goods, together with the Marks and Numbers of

and before Departure he is to deliver a Content in Writing to the Officer,

of such Goods; and the Master of every Ship, either coming into or going out of any British Colony or Plantation, whether laden or in Ballast, shall publicly in the open Custom-house, to the best of his Knowledge, answer upon Oath to such Questions as shall be demanded of him by the Collector and Comptroller or other principal Officer of the Customs, concerning such Ship, and the Destination of her Voyage, or concerning any Goods laden on board, upon Forfeiture of £ 100 Sterling Money of Great Britain for every Neglect; to be prosecuted, recovered, and divided in the same manner, and by the same Rules and Regulations, as other pecuniary Penalties for Offences against the Laws of the Customs, or Trade of His Majesty's Colonies in America. 7 Geo. 3. c. 46. § 9.

to answer upon Oath to such Questions as shall be demanded of him

4. No Goods shall be imported into or exported out of any Colony or Plantation in America belonging to or in the Possession of His Majesty, or shall be laden in or carried from any one Port or Place in the said Colonies or Plantations to any other Port or Place in the same, or to Great Britain or Ireland, in any Ship but what is of the Built of Great Britain, Ireland, the Islands of Guernsey, Jersey, the Isle of Man, or some of the Colonies, Plantations, Islands, or Territories in Asia, Africa, or America, belonging to or in the Possession of His Majesty; except Ships taken by any of His Majesty's Ships of War, or any private or other Ship, and condemned as Prize in any Court of Vice Admiralty, and also except Ships condemned as forfeited in any Court of Record in Great Britain, or in any Court of Admiralty, for any Offence in relation to the Slave Trade; such Ships respectively being owned by British Subjects, navigated and registered according to Law; on Forfeiture of all Goods otherwise imported, as also the Ship; and the Commanders of Ships of War are to seize as Prize all Ships offending, and to deliver them to the Court of Admiralty. 12 Car. 2. c. 18. § 1. 7 & 8 W. 3. c. 22. § 2. 26. Geo. 3. c. 60. 27 Geo. 3. c 19. § 13. 39 & 40 Geo. 3. c. 67. Art. 6. 54 Geo. 3. c. 59. § 1.

Not to be imported into or exported from the Plantations, except in British-built Ships, or Ships condemned as Prize, or under the Slave Trade Acts.

For the Regulations, Restrictions, Penalties, and Forfeitures respecting the Navigation and Registry of British Ships,

Navigation and Registry.

See Navigation of British Ships.
Registry of British Ships.

But American Ships may export Salt from certain Islands.

(1.) Ships belonging to the Inhabitants of the United States of America, from coming in Ballast to the Turks Islands, Nassau, Exuma, or Crooked Island, for the Purpose of being there laden with Salt. 28 Geo. 3. c. 6. § 5, 6. 7.

See Salt.

Ships owned and navigated by Persons inhabiting Colonies under Foreign European Sovereigns may import and export certain Articles from the Free Ports.

(2.) Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic, Wood for Dyers Use, Hides, Skins, Tallow, Furs, Tortoiseshell, Hardwood, or Mill Timber, Mahogany, Wood for Cabinet Ware, Horses, Asses, Mules, Cattle, Corn, Bullion, Diamonds and Precious Stones, Rice, Grain and Flour, Sugar and Coffee, from being imported into and exported from the Free Ports in the West Indies, in any Foreign Ship, being owned and navigated by Persons inhabiting any Colony or Plantation in America, or Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 48 Geo. 3. c. 35. 50 Geo. 3. c. 21. 52 Geo. 3. c. 99. 54 Geo. 3. c. 48.

See Free Ports.

6. and import and export certain Goods into and from the Bahama Islands.

(3.) Any Foreign Ship whatever, described in 45 Geo. 3. c. 57. from coming in Ballast, or importing into any Port of the Bahama Islands where there is a Custom House, the Articles allowed in the said Act to be imported into the Ports therein mentioned, and also exporting the Articles allowed by the said Act to be exported in Foreign Vessels, or exporting Salt subject to the Duty of Tonnage, and under the Regulations of 20 Geo. 3. c. 6.—52 Geo. 3. c. 99.

See Free Ports.

Salt.

Ships in Amity may export certain Articles from Bermuda to the United States.

(4.) Sugar, Coffee, Rum, or Molasses, the Produce of any British Colony in the West Indies, imported into the Island of Bermuda in any British Vessel, from being exported from the Port of Saint George or the Port of Hamilton in the said Island, to any Part of the Territories of the United States of America, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28.

(5.) To-

But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 4.) is to prevent

6.

But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 4.) is to prevent

6.

(5.) Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards and Plank Timber, Shingles, and Lumber, Horses, Neat Cattle, Sheep, Hogs, Poultry and Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Production of any of the Territories of the United States of America, from being imported from the said Territories into the Port of Saint George, or the Port of Hamilton in the Island of Bermuda, in any Foreign Ship belonging to any State in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50.

and import certain Articles into Bermuda from the said States.

(6.) Fruit or Vegetables, the Growth of the United States, from being imported into the Ports mentioned in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Vessels of the Description mentioned in the said Acts, and under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures therein provided. 57 Geo. 3. c. 28. § 1.

also Fruit and Vegetables.

(6 a.) Rosin, the Produce or Manufacture of the United States, from being imported from thence into Bermuda, nor prevent Articles the Produce or Manufacture of the said Island, also all Articles whatever, which shall have been legally imported into the same in any British Vessel, from being exported to the said States in such Vessels, and under such Regulations, Penalties, and Forfeitures, as are provided in 52 Geo. 3. c. 79. 53 Geo. c. 50. and 57 Geo. 3. c. 28.—59 Geo. 3. c. 55.

(7.) The usual and necessary Articles of Supply for the Estates of Dutch Proprietors in the Colonies of Demerara, Berbice, and Essequibo, in the Province of Guiana in South America, from being exported from the Netherlands into the said Colonies respectively, on board any Ships being the Property of Subjects of the King of the Netherlands, wherever built, and without any Restriction or Limitation as to the Mariners navigating the same, for the Space of Five Years, commencing from the First Day of January 1816; but the Master of every such Ship shall produce to the proper Officer of the Customs in the said Colonies, satisfactory Proof of the Ship being owned by a Subject of the King of the Netherlands; provided that the King of the Netherlands may, at any Time before the Expiration of the said Five Years, direct that such Trade shall be carried on only in such Ships as are Dutch-built, and whereof the Master and Three fourths of the Crew are Subjects of his said Majesty; provided also,

Dutch Ships may import from the Netherlands Supplies for the Estates of Dutch Proprietors in Gui

also, that at the Expiration of the said Five Years, no such Trade shall be carried on, except in Ships Dutch-built, and whereof the Master and Three-fourths of the Crew are Subjects of the King of the Netherlands. 56 Geo. 3. c. 91. § 3, 4. 6.

and such Ships may export the Produce of such Estates to the Netherlands.

(8.) The Produce of the Estates of Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo, from being exported from the said Colonies to the Netherlands, on board such Ships as are described in the preceding Article. 56 Geo. 3. c. 91. § 4. 6.

See GUIANA.

Ships of States in Amity may import certain Articles into Nova Scotia or New Brunswick;

6. *But nothing in* 12 Car. 2. c. 18. *or in the other Acts* (see No. 4.) *is to prevent*

(9.) Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, Tobacco, from being imported into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty. 58 Geo. 3. c. 19. § 1.

See NOVA SCOTIA AND NEW BRUNSWICK.

and export certain Articles from the said Provinces.

(10.) Gypsum, Grindstones, or other Produce or Manufacture of the said Provinces of Nova Scotia or New Brunswick, and any Produce or Manufacture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods which have been lawfully imported into the said Provinces, from being exported from such Ports as shall be specially appointed for that Purpose by His Majesty, within the said Provinces, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, to which the said Articles shall be exported. 58 Geo. 3. c. 19. § 4.*

See NOVA SCOTIA AND NEW BRUNSWICK.

Not to be imported from the United States into British West India Islands or Guiana, except certain Articles in British Ships;

7. No Goods shall be imported from any of the Territories belonging to the United States of America, into any of His Majesty's West India Islands, in which Description the Bahama Islands, and the Bermuda or Somers Islands are included, or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, on Forfeiture thereof, and also the Ship; except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts,

* *The Act* 58 *Geo.* 3. *c.* 19. *is to continue in force for Three Years from* 8*th May* 1818, *and until Six Weeks after the Commencement of the then next Session of Parliament.*

Yards,

Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort; Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of every Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; such Commodities being the Growth or Production of the Territories of the said States, imported by British Subjects, and in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50. § 1.

See UNITED STATES.

also Household Furniture, Utensils of Husbandry, and Clothing, by Settlers;

8. Except also Household Furniture, Utensils of Husbandry, and Cloathing, by Subjects of the United States, who may come to reside in the Bahama or Bermuda Islands, or in the Province of Quebec, Nova Scotia, or any of the Territories belonging to His Majesty in North America, having first obtained a Licence for that Purpose. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

also Fruit and Vegetables.

9. And except Fruit and Vegetables, the Production of the said States, into the said Islands and Colonies in the like Description of Ships, and under the same Restrictions, Penalties, and Forfeitures. 57 Geo. 3. c. 28. § 1.

Articles of the like Description not to be imported from Colonies under Foreign European Sovereigns, except in certain Cases.

10. None of the Articles so allowed to be imported into the West India Islands, or the Colonies of Berbice, Demerara, or Essequibo, from the United States (See No. 7.), shall be imported into the said Islands or Colonies from any Island in the West Indies, or any Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof, and of the Ship; except in case of public Emergency or Distress, and except certain Articles from the Free Ports, or from the Territories or Dominions belonging to the Crown of Portugal in South America. 28 Geo. 3. c. 6. § 10. 11. 31 Geo. 3. c. 38. § 1. 33 Geo. 3. c. 50. § 13. 45 Geo. 3. c. 57. § 2. 48 Geo. 3. c. 125. § 2. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1.

See UNITED STATES.

Not to be imported into the British North American Colonies from the United States, except in certain Cases.

11. No Goods shall be imported from any of the Territories belonging to the United States of America into the Province of Nova Scotia, New Brunswick, or Quebec, the Island of Cape Breton, Saint John's, or Newfoundland, or any Country or Island within their respective Governments, on Forfeiture thereof, and of the Ship; except certain Articles, the Production of the said

said Territories, in case of Emergency or Distress, and for the Use of the Inhabitants and Fishermen at Newfoundland or Quebec, and except also certain Articles into Nova Scotia or New Brunswick. 28 Geo. 3. c. 6. § 12, 13, 14. 29 Geo. 3. c. 16. § 1. 30 Geo. 3. c. 8. § 1. 38 Geo. 3. c. 50. § 14. 58 Geo. 3. c. 19.

See Cape Breton. Newfoundland.
Nova Scotia. Quebec.
New Brunswick. Saint John's.

Nor brought by Land or Inland Navigation into Canada, unless the Produce of the United States.

12. No Goods, except the Produce or Manufacture of the Territories of the United States of America, shall be brought from the said Territories by Inland Navigation or Land Carriage into the Provinces of Upper or Lower Canada, on Forfeiture thereof, or the Value, with the Vessel or Carriage in which the same shall be brought; to be sued for, recovered, and distributed in the like manner as in case of Offences committed against the Laws of Customs in His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

See United States.

Not to be exported from Turk's Islands, except Articles herein mentioned.

13. No Goods shall be exported from Turk's Islands to any Part of the British Dominions in America, or the West Indies, or laid on board any Ship in those Islands, except Salt, nor from Turk's Islands to Great Britain or Ireland, except Salt, or such Goods as may be imported into Great Britain or Ireland from all other Countries free of all Duties, on Forfeiture thereof, and of the Ship. 28 Geo. 3. c. 6. § 7, 8.

See Turk's Islands.

May be exported from one British Island in the West Indies, or Colony on the Continent, to another;

14. Any of His Majesty's Subjects may export, in any British-built Ship, owned and navigated according to Law, from any one of the Islands in the West Indies belonging to His Majesty, to any other of the said Islands, or to any of the British Colonies on the Continent of America, and from any of the British Colonies in America, to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony on the Continent of America, any Goods the Manufacture of Europe, and also any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies, under the Regulations and Restrictions of 45 Geo. 3. c. 57. 52 Geo. 3. c. 100. § 1.

See Europe.

and may also be exported from Newfoundland to the said

15. Any of His Majesty's Subjects may export, in any British-built Ship, owned and navigated according to Law, from Newfoundland to any of the Islands in the

West Indies belonging to His Majesty, or to any of the British Colonies on the Continent of America, and from any of the said Islands in the West Indies belonging to His Majesty, or from any of the said British Colonies on the Continent of America, into the said Island of Newfoundland; any Goods of the Manufacture of Europe, and also any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies under the Regulations and Restrictions of 45 Geo. 3. c. 57.—57 Geo. 3. c. 29.

See EUROPE.

Islands or Colonies, or from thence to Newfoundland.

16. Any Article legally imported into any of His Majesty's Sugar Colonies or Plantations in America, or any Articles the Production or Manufacture of Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, or which have been legally imported into any such Colony or Plantation, may, under certain Regulations, be exported to the Island of Malta, or the Dependencies thereof, or to Gibraltar. 55 Geo. 3. c. 29. § 1. 8. 57 Geo. 3. c. 6. § 1. 58 Geo. 3. c. 19.

See GIBRALTAR.
MALTA.

Certain Articles may be exported to Malta or Gibraltar.

17. No Ship shall be cleared Outwards for any Colony, Territory, or Place to His Majesty belonging, or in the Possession or under the Dominion of His Majesty, in America, unless the whole and entire Cargo shall be laden in Great Britain or Ireland; and any Officer of His Majesty's Customs may stop any British Ship arriving from any Part of Europe, which shall be discovered within Two Leagues of the Shore of any such Colonies, &c., and seize as forfeited any Goods (except as hereinafter mentioned) for which the Master shall not produce a Cocket or Clearance from the Collector or proper Officer of His Majesty's Customs, in some Port of Great Britain or Ireland, certifying that the Goods were there laden. 4 Geo. 3. c. 15. § 30. 20 Geo. 3. c. 10. § 13. 39 & 40 Geo. 3. c. 77. Art. 6.

Ships clearing out from Great Britain or Ireland, the whole Cargo must be there laden, and a Cocket or Clearance produced.

18. Any Person who shall counterfeit, erase, alter, or falsify any Cocket or Clearance required by this Act, or shall knowingly or wilfully make use of any Cocket or Clearance so counterfeited, &c., shall forfeit £500, and the same shall be of no Effect. 4 Geo. 3. c. 15. § 32.

Counterfeiting, &c. the Documents, or using the same.

(1.) Salt

But nothing in 4 Geo. 3. c. 15. or in the other Acts (see No. 17.) is to forfeit for want of such Clearance

Not to prevent the lading of Salt, Wine, Oranges, or Lemons, at certain Places herein mentioned.

(1.) Salt laden in any Part of Europe, for the Fisheries in Newfoundland, Nova Scotia, and Quebec, or for any other Place to which Salt is allowed by Law to be carried for the Use of the Fisheries; Wines laden in the Madeiras of the Growth thereof; Wines of the Growth of the Western Islands or Azores, laden there; Oranges or Lemons of the Azores or Madeiras, shipped from thence for Exportation to any of the Ports in the British Colonies in North America. 15 Car. 2. c. 7. § 6. 2 Geo. 3. c. 24. § 7. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1. 57 Geo. 3. c. 89. § 1.

Certain Articles for the Fisheries, and Herrings from Guernsey, Jersey, and Man.

19.

(2.) Goods the Growth, Produce, or Manufacture of Great Britain, Ireland, Guernsey, or Jersey, fit and necessary for the Fisheries carried on in any of the British Colonies shipped by the Inhabitants of Guernsey or Jersey; Tools or Implements necessary for the Fishery, manufactured in the Isle of Man; and Herrings cured there and shipped from the said Isle. 9 Geo. 3. c. 28. § 1, 2. 12 Geo. 3. c. 58. § 4. 15 Geo. 3. c. 31. § 5.

See Europe.

Fruit, Wine, Oil, Salt, or Cork, from Parts of Europe South of Cape Finisterre in Ships arriving from the Colonies;

(3.) Fruit, Wine, Oil, Salt, or Cork, laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation direct to certain Colonies in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port of Europe with the Articles enumerated in this Act. 51 Geo. 3. c. 97. § 1.

See Cork. Fruit. Oil. Salt. Wine.

also Corn and Grain from any Part of Europe South of Cape Finisterre.

(4.) Corn or Grain laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation to any of His Majesty's Sugar Colonies, on board any Ship having landed a Cargo of Sugar, Coffee, or Cocoa, imported from the said Sugar Colonies, under the Regulations of this Act. 52 Geo. 3. c. 98. § 1.

See Corn and Grain.
Cocoa.
Coffee.
Sugar.

(5.) Articles

(5.) Articles requisite as Supplies for the Cultivation of the Estates in Demerara, Berbice, and Essequibo in the Province of Guiana, or the Clothing, Maintenance, and Comfort of the Residents thereon, shipped in the Netherlands by the Subjects of the King of the Netherlands being Dutch Proprietors in such Colonies respectively. 56 Geo. 3. c. 91. § 4.

See GUIANA.

Supplies into the Province of Guiana from the Netherlands for the Estates of Dutch Proprietors

(6.) Articles enumerated in the following Schedule marked (B.), shipped at Malta, or the Dependencies thereof, or Gibraltar, on board any British-built Ship, owned, navigated, and registered according to Law, for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of the British Colonies or Plantations in North America. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

Certain Articles into the Sugar Colonies, &c. from Malta or Gibraltar.

But nothing in 4 Geo. 3. c. 15. or in the other Acts (see No. 17.) is to forfeit for want of such Clearance

SCHEDULE B.

19.

- Dry and Wet Fruit in Brandy and Sugar. } In Jars & Bottles.
- Pickles in Ditto.
- Olives.
- Figs.
- Raisins.
- Currants.
- Pistaccio Nuts.
- Almonds.
- Dates.
- Capers.
- Wine.
- Brandy.
- Oil of Olives.
- Oil of Almonds.
- Gum Arabic.
- —— Mastic.
- —— Myrrh.
- —— Sicily.
- —— Ammoniac.
- Opium.
- Manna.
- Senna.
- Cantharides.
- Oris Root.
- Rhubarb.
- Mill Timber.
- Box Wood.
- Argol.
- Vermillion.
- Ochres.
- Cinnabar.
- Orange Buds and Peel.
- Juniper Berries.
- Punk.
- Pumice Stone.
- Emery Stone.
- Whetstone.
- Paintings and Prints.
- Mosaic Works.
- Medals.
- Lava and Malta Stone for building.
- Pezzolana.
- Jalop.
- Scamony.
- Quicksilver.
- Sarsaparilla.

19. *But nothing in 4 Geo. 3. c. 15. &c. (see No. 17.) &c.*

Sarsaparilla.
Saffron,
Safflower.
Musk.
Incense.
Essence of Bergamot.
Do. of Citron.
Do. of Lemon.
Do. of Orange.
Do. of Lavender.
Do. of Roses.
Do. of Rosemary.
Marble, } Rough &
Alabaster, } worked.
Brimstone.
Cork.
Aniseed.
Cumminseed.
Ostrich Feathers.
Honey.
Sponges.
Ambe..
Coral.
Bullion.
Precious Stones.
Pearls.
Corn.
Grain.
Meal or Flour.
Beans.
Peas.
Lentils.
Rice.
Maccaroni or Vermicelli.
Cascasoo.
Parmesan Cheese.
Bologna and other Sausages.
Anchovies.
Caviar.
Botarga.

On board Vessels hovering within the Limits of a Port and not proceeding on the Voyage.

20. Where any Vessel of the Burthen of Fifty Tons or under, laden with customable or prohibited Goods, shall be found hovering within the Limits of any Port on the Coasts of any of the Dominions or Territories belonging to the Crown of Great Britain, and not proceeding on her Voyage for Foreign Parts, Wind and Weather permitting, any Officer of the Customs may go on board and take an Account of the Lading, and take Security from the Master, by his own Bond to His Majesty, in Treble the Value of such Foreign Goods then on board, with Condition that such Vessel, as soon as Wind and Weather and her State and Condition will permit, shall proceed regularly on the Voyage, and land such Foreign Goods at some Foreign Port; and if the Master shall upon Demand refuse to enter into such Bond, or having entered into the same, shall not proceed regularly on such Voyage, as soon as Wind and Weather and the State and Condition of the Vessel will permit (unless suffered to make a longer Stay by the Collector, or in his Absence the principal Officer of such Port, not exceeding Twenty Days), then all the Foreign Goods on board shall, by the Direction of the Collector or other principal Officer, be taken out and brought on Shore and secured; and in case the Goods are customable, the

Duties

Duties shall be paid, and any prohibited or other Goods liable to Forfeiture, which may be found on board, shall be forfeited, and the Officer of the Customs shall prosecute the same, as also the Vessel in case she shall be liable to Condemnation; and after the Goods are secured, such Bonds shall be void, and delivered up without Fee or Reward, and, not being otherwise discharged, shall, on a proper Certificate returned under the Common Seal of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of Two known British Merchants upon the Place, that such Goods were there landed, or upon Proof by credible Persons that such Goods were taken by Enemies, or perished in the Seas, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs) shall be vacated and discharged. 5 Geo. 1. c. 11. § 6. 5 Geo. 3. c 22.

On board Foreign Ships at Anchor within Two Leagues of the Shore, and not departing within 48 Hours, the Goods therein laden forfeited.

21. If any Foreign Ship shall be found at Anchor or hovering within Two Leagues of the Shore of any Plantation, Colony, Territory, or Place in the Possession or under the Dominion of His Majesty in America, and shall not depart from the Coast, and proceed upon her Voyage to some Foreign Port or Place, within 48 Hours after the Master shall be required so to do by any Officer of His Majesty's Customs, unless in case of unavoidable Necessity, and Distress of Weather, such Ship, with all the Goods therein laden, shall be forfeited, whether Bulk shall have been broken or not, and be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 33.

Not to extend to French Ships fishing on a certain Part of Newfoundland.

22. But not to extend to any Ship belonging to the Subjects of the French King, which shall be found fishing, and not carrying on any illicit Trade, on that Part of the Island of Newfoundland which stretches from Cape Bonavista to the Northern Part of the said Island, and from thence running down to the Western Side, reaches as far as Point Riche. 4 Geo. 3. c. 15. § 34.

May in certain Cases be brought on shore by the Officers.

23. The Officers of the Customs and their Deputies may go on board any Ship of War or Merchant Ship, and bring on Shore all Goods prohibited or uncustomed (except Jewels) if they be Outwards bound, and if they be Ships Inward bound, from thence to bring on Shore unto His Majesty's Storehouse, all small Parcels of Goods which shall be found in Cabins, Chests, Trunks, or other small Package, or in any private or secret Place,

in or out of the Hold of the Ship, which may occasion a just Suspicion that they were intended to be fraudulently conveyed away, and all other Sorts of Goods for which the Duties were not paid within 20 Days after the First Entry of the Ship, to remain in the Storehouse until His Majesty's Duties thereupon be satisfied, unless the said Officers shall see Cause to allow a longer Time; and the Officers and their Deputies may remain aboard until all the Goods are delivered; and if the Master of any Ship, or any other Person, shall suffer any Truss, Bale, Pack, Fardel, Cask, or other Package to be opened aboard the said Ship, and the Goods therein to be embezzled, carried away, or put in any other Form or Package, after the Vessel comes into the Port of her Discharge, in every such Case the said Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 4. 7 & 8 W. 3. c. 22. § 6.

Altering Package and embezzling Goods, or putting them into any other Form or Package.

Found concealed after discharging the Officers.

24. In case, after the clearing of any Ship, and discharging the Watchmen or Tidesmen from Attendance thereupon, there shall be found on board any Goods which have been concealed from the Knowledge of the Officers, and for which the Duties due upon the Importation thereof have not been paid, the Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6.

Found concealed after the Master has made his Report.

25. All Goods which shall be found concealed in any Place on board any Ship, at any Time after the Master thereof shall have made his Report to the Collector or other proper Officer of the Customs, and which shall not be comprized in the said Report, shall be forfeited, and may be seized and prosecuted by any Officer of the Customs; and the Master (in case it can be made appear that he was anyways consenting or privy to such Fraud or Concealment, shall forfeit Treble the Value of the Goods. 4 Geo. 3. c. 15. § 36.

Officers may enter Houses, &c. to seize prohibited and uncustomed Goods.

26. Any Officer authorized by Writ of Assistance under the Seal of the Superior or Supreme Court of Justice, having Jurisdiction within the Colony or Plantation in America, may take a Constable, Headborough, or other Public Officer inhabiting near unto the Place, and in the Day-time enter into any House, Shop, Cellar, Warehouse, or Room, or other Place, and in case of Resistance, break open Doors, Chests, Trunks, and other Package, there to seize and from thence to bring any Goods prohibited or uncustomed, and secure the same in His Majesty's Storehouse, in the Port next to the Place where

where such Seizure shall be made. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6. 7 Geo. 3. c. 46. § 10.

27. If any Action or Suit shall be commenced in America, against any Person for any Thing done in pursuance of this Act, the Defendant in such Action or Suit may plead the General Issue, and may give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. 7 Geo. 3. c. 46. § 11.

The Defendant in any Action may plead the General Issue.

Treble Costs allowed.

28. If any Goods liable to the Payment of Duties in any British Colony or Plantation in America, shall be loaden on board any Ship outward bound, or shall be unshipped or landed from any Vessel inward bound, before the Duties due thereon are paid agreeable to Law; or if any prohibited Goods shall be imported into or exported out of any of the said Colonies or Plantations, contrary to this or any other Act of Parliament; every Person who shall be assisting or otherwise concerned in the loading outwards, or in the unshipping or landing inwards such Goods, or to whose Hands the same shall knowingly come after the loading or unshipping thereof, shall for every Offence forfeit Treble the Value of such Goods, to be estimated and computed according to the best Price the Commodity bears at the Place where such Offence was committed; and all the Boats, Horses, Cattle, and other Carriages whatsoever, made use of in the loading, landing, removing, carriage, or conveyance of any of the aforesaid Goods, shall also be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 37.

Shipped, unshipped, or landed without Payment of Duty.

Penalty.

29. Every Merchant passing any Goods inwards or outwards shall, by himself, or his known Servant, Factor, or Agent, subscribe one of his Bills of every Entry with the Mark, Number, and Contents of every Parcel of such Goods as are rated by the Piece, or Measure or Weight of the whole Parcel of such Goods as are rated to pay by the Weight, without which the Officer shall not suffer

Marks, &c. to be subscribed by Merchant on one of his Bills of Entry.

any Entry to pass. 13 & 14 Car. 2. c. 11. § 10. 7 & 8 W. 3. c. 22. § 6.

Landed by Bill at Sight, View, or Sufferance, where to be examined.

30. All Foreign Goods permitted to be landed, and taken up by Bills at Sight, View, or Sufferance, shall be landed at the most convenient Quays appointed by the Officers, and not elsewhere; and there, or in His Majesty's Storehouse of the Port, at the Election of the Officers, shall be measured, weighed, and numbered by and in the Presence of the Officers to be thereunto particularly appointed, who are to perfect the Entry, and subscribe their Names, and the next Day give Account to the Collector and Comptroller, on Forfeiture of £100, unless reasonable Cause (to be allowed by the Collector or Comptroller) can be shewn for the Delay. 13 & 14 Car. 2. c. 11. § 21. 7 & 8 W. 3. c. 22. § 6.

Not to be carried from one British Colony or Plantation to another without a Sufferance, and the Master to take out a Cocket.

31. No Goods shall be laden on board any Ship in any of the British Colonies or Plantations in America, to be carried from thence to any other British Colony or Plantation, without a Sufferance or Warrant first had and obtained from the Collector or other proper Officer of the Customs at the Port or Place where such Goods shall be intended to be put on board; and the Master shall, before the Ship be removed from the Port of Lading, take out a Cocket, expressing the Quantity and Quality of the Goods, and Marks of the Package, with the Merchants Names by whom shipped, and to whom consigned, and if they are Goods that are liable to Duty either upon the Importation into or Exportation from the said Colonies or Plantations, the Cocket shall distinctly specify that the Duties have been paid for the same, referring to the Times or Dates of Entry and Payment of such Duties, and by whom they were paid; which Cockets shall be produced by the Master to the Collector, or other principal Officer of the Customs at the Port or Place where such Vessel shall arrive in any of the British Colonies or Plantations in America, before any Part of the Goods are unladen; and if any Goods shall be shipped without such Sufferance or Warrant, or the Ship shall depart without such Cocket, or the Goods shall be landed before it is produced at the Port or Place of Discharge, or if the Goods do not agree in all respects therewith, the same shall be forfeited; and any Officer of His Majesty's Customs may stop any such Ship which shall be discovered within Two Leagues of the Shore of any of the Bri-

tish Colonies or Plantations in America, and seize all Goods which shall be found on board for which no such Cocket shall be produced to him. 4 Geo. 3. c. 15. § 29.

Documents not required in certain Cases.

32. Not to require any Sufferance or Cocket for any Goods the Growth, Product, or Manufacture of the British Colonies or Plantations in America, which are not by any Act of Parliament made in Great Britain liable to any Duty either upon the Importation into or Exportation from the said Colonies or Plantations, nor are prohibited to be exported from thence, which shall be laden in any Boat, Flat, Shallop, or other Vessel without a Deck, not exceeding the Burthen of 20 Tons, and shall be carried within any River, Lake, or any other inclosed Waters within the said Colonies or Plantations, and shall not be carried out to Sea further than One League from the Shore. 5 Geo. 3 c. 45. § 25.

Counterfeiting Documents, or making use thereof.

33. Any Person who shall counterfeit, rase, alter, or falsify any Affidavit, Certificate, Sufferance, Cocket, or Clearance required or directed by this Act, or knowingly or wilfully make use of the same, shall forfeit £100, and such Affidavit, &c. shall be invalid and of no effect. 4 Geo. 3. c. 15. § 32.

Not to be laden for Africa to be bartered for Slaves.

34. No Goods shall be laden in any of His Majesty's Dominions, with Intent to be carried to Africa, to be there bartered for Slaves, or otherways employed in the African Slave Trade. 46 Geo. 3. c. 52. 47 Geo. 3. c. 36.

See Slaves.

Stolen or carried off from stranded Ships.

35. Goods found upon any Persons that were stolen or carried off from any Ship stranded, or in danger of being stranded, upon the Coast of any of His Majesty's Dominions, shall immediately upon Demand be delivered to the Owner, or in default thereof the Person on whom found shall be liable to pay Treble the Value, to be recovered by Action at Law. 12 Ann. stat. 2. c. 18. § 4.

See Ships Stranded.

Warrants may be granted for searching for such Goods.

36. Upon Information on Oath before a Justice of the Peace of any Part of the Cargo, or Effects of any Ship lost or stranded upon or near the Coasts of any of His Majesty's Dominions, being unlawfully conveyed away, or concealed in any Place, or of some reasonable Ground of Suspicion thereof, such Justice may grant his Warrant for searching for such Goods; and if they are found in Custody of any Person not legally entitled to keep them, and the Owner or Occupier of the Place, or the Person in whose Custody they are found, shall not immediately

deliver them upon Demand to the Owner or Person lawfully authorized to demand them, or not giving a good Account how he came by them, such Person shall be committed to Gaol for Six Months, or until he pays the Owner Treble the Value of the Goods. 26 Geo. 2. c. 19. § 3.

See SHIPS STRANDED.

May be seized by any Person to whom they are offered to Sale, and Offenders may be committed to Gaol.

37. Such Goods suspected to have been unlawfully taken away and offered to Sale, may be seized by the Person to whom they are offered, or by any Officer of the Customs or Excise, or any Peace Officer, who shall carry them to or give Notice of the Seizure to a Justice of the Peace, and if the Person who offered them to Sale does not, within Ten Days, prove to the Satisfaction of the Justice the Property to be in him, or the Person who employed him, the Goods shall, by Order of the Justice, be delivered over to the Use of the Owner, upon Payment of a reasonable Reward for the Seizure, to be ascertained by the Justice, who is also to commit the Person who offered them to Sale to Gaol for Six Months, or until he has paid Treble the Value of the Goods to the Owner. 26 Geo. 2. c. 19. § 4.

See SHIPS STRANDED.

Manifests of Goods on board Ships clearing out for Great Britain or Ireland to be delivered to the Officers.

38. Before any Ship shall be cleared out for Great Britain or Ireland, with any Goods from any Port or Place in any Colony, Plantation, or Territory belonging to or under the Dominion of the Crown of Great Britain, the Master of such Ship shall deliver a Manifest or Content in Writing, signed by such Master, to the Collector of the Customs, if there be such an Officer at or near to such Place, and if there shall not be a Collector there, then to the Chief Officer of the Customs, and if there shall not be any Officer of the Customs, then to the principal Officer or Magistrate, or some other Person by him specially appointed for that Purpose, resident at or nearest to such Place, containing the Names of the Ports or Places where the Goods in such Manifest or Content mentioned shall have been respectively laden, the Name and Built of such Ship, and the true Tonnage thereof according to the Register, with the Christian and Surname of the Master, and the Port or Place to which such Vessel truly belongs, and a correct and particular Account of all the Cargo, and of all Packages of Goods taken on board, with the Marks thereon, and of the Particulars of the Cargo which is stowed loose, and of the following Particulars in Words at

at Length, (that is to say) the Numbers of the Packages, with a particular Description thereof, whether Leaguer, Pipe, Butt, Puncheon, Hogshead, Barrel, or other Cask or Package, describing such other Cask or Package by its ordinary Name, whether Case, Bale, Pack, Truss, Chest, Box, Bundle, or other Package, or by such other Name or Description as the same is usually called or known; and such Collector, Chief Officer, or Magistrate, or other Person by him appointed, shall cause a Duplicate of such Manifest to be made, and indorse upon the Original his Name, with the Day and Year on which the same was produced, and return the Original to the Master on or before the clearing of such Ship; and such Collector or other Chief Officer or Magistrate, or other Person, shall, upon the clearing of such Ship, immediately transmit the said Duplicate to the Collector and Comptroller of the Customs at the Port in Great Britain or Ireland to which the Goods are consigned, and to which the Manifest refers. 26 Geo. 3. c. 40. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Particulars to be inserted therein.

Duplicate to be sent to the Port of Consignment, and the Original indorsed.

39. A Manifest, under the Hands and Seals of the Officers, required for Tobacco laden at any of His Majesty's Colonies, Plantations, or Territories, to be conveyed to Great Britain or Ireland. 29 Geo. 3. c. 68. § 17. 39 & 40 Geo. 3. c. 67. Art. 6.

See TOBACCO.

GOODS (ENUMERATED),

For which Bond is required that the same shall be carried to and landed in some other British Plantation, or in Great Britain or Ireland,

Enumerated Articles required to be carried to some other British Plantation, or Great Britain or Ireland.

See the several enumerated Articles; that is to say,

Ashes (Pot and Pearl).	Molasses.
Coffee and Cocoa Nuts.	Pimento.
Copper Ore,	Pitch, Tar, and Turpentine.
Cotton Wool.	Rice.
Furs.	Silk (Raw).
Ginger.	Skins.
Hides.	Sugar.
Indigo.	Tobacco.
Masts, Yards, and Bowsprits.	Whale Fins.
	Wood (Dying).

12 Car. 2. c. 18. § 18. 3 & 4 Anne, c. 5. § 12. 8 Geo. 1. c. 15. § 24. 8 Geo. 1. c. 22. § 6. 2 Geo. 2. c. 35. § 16. 4 Geo. 3. c. 15. § 27.

Iron and Lumber may be landed in any Part of America and in Africa, but in no Part of Europe except Great Britain or Ireland.

1. No Iron or Wood called Lumber, the Growth, Production, or Manufacture of any of the British Plantations in America, (that is to say) Deals of several Sorts, Timber Balks of several Sizes, Barrel-boards, Clap-boards, Pipe-boards, or Pipe-bolt, White-boards for Shoe-makers, Boom and Cant Spars, Bow Staves, Capravens, Clap-bolt, Ebony Wood, Heading for Pipes, Hogsheads, and Barrels, Hoops for Coopers, Oars, Pipe and Hogshead Staves, Barrel and Firkin Staves, Trunnels, Speckled Wood, Sweet-wood, small Spars, Oak Plank, and Wainscot, shall be laden in any of the said Plantations until sufficient Bond shall be given, with One Surety besides the Master of the Ship, to the Collector or other principal Officer of the Customs at the Loading Port, in the Penalty of Double the Value of the Goods, with Condition that the said Goods shall not be landed in any Part of Europe, except Great Britain or Ireland; which Bonds shall be discharged in the Manner hereafter mentioned: (that is to say,) for such of the said Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be to bring a Certificate in Discharge thereof within 18 Months from the Date of the Bond, and within Six Months for such of the said Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which respective Certificates shall be under the Hands and Seals of the Collector, or other principal Officer of the Customs resident at the Port or Place where such Goods shall be landed, testifying the Landing thereof; and for such of the said Goods as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond or Bonds shall be discharged in either of the said Cases by Proof upon Oath, by credible Persons, that the said Goods were taken by Enemies, or perished in the Seas. 4 Geo. 3. c. 15. § 28. 5 Geo. 3. c. 45. § 23. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition of the Bond.

But Lumber may be carried to the Madeiras or Western Isles, or any Part of Europe South of Cape Finisterre, upon the Bond herein directed.

2. Any of the said Wood called Lumber, of the Growth, Production, or Manufacture of any British Colony or Plantation in America, may in like manner be there laden on board any Ship or Vessel, to be carried from thence to the Madeiras, or the Western Isles called the Azores, or to any Part of Europe to the Southward of Cape

Cape Finisterre, upon sufficient Bond being given, in the Penalty and in the Manner directed by the said Act, with Condition that the said Goods shall be there landed accordingly, and not in any other Part of Europe, except Great Britain or Ireland; and that Certificates, testifying the Landing thereof, shall be produced to the Collector, or other Principal Officer, where Bond shall have been given, within 18 Months from the Date of such Bond, under the Common Seal of the Chief Magistrate, or under the Hand and Seal of the British Consul, or Hands and Seals of Two known British Merchants residing where such Goods shall be landed; and upon the producing of such Certificate, or Proof upon Oath being made by Two credible Persons that the said Goods were taken by Enemies, or perished in the Seas, the said Bond shall be discharged. 5 Geo. 3. c. 45. § 23. 39 & 40 Geo. 3. c. 67. Art. 6.

Rum not to be landed on the Isle of Man.

3. No Rum or other Spirits shall be shipped or laden on board any Ship in any British Colony or Plantation in America, but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as are prescribed in 12 Car. 2. and 25 Car. 2. or either of them, with respect to the Goods in those Acts particularly mentioned. 5 Geo. 3. c. 39. § 5.

See ASHES (POT AND PEARL).

Goods not particularly enumerated in the Plantation Laws, not to be landed in any Part of Europe to the Northward of Cape Finisterre, except Great Britain or Ireland.

4. The Master of every Ship that shall take on board any Goods not particularly enumerated in any of the Plantation Laws, shall, together with One Surety, give Bond in the like Penalty as is provided for Goods enumerated; and such Bond shall also be given to the Collector or other Principal Officer of the Customs at any Port or Place in any of the British American Colonies or Plantations where the Vessel shall be laden, with Condition that such Goods shall not be landed at any Part of Europe to the Northward of Cape Finisterre, except in Great Britain or Ireland; which Bond shall be discharged in the Manner hereafter mentioned; that is to say, For such of the said Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in Discharge thereof within 18 Months from the Date of such Bond, and within Six Months for such of the said Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificates shall be under

under the Hands and Seals of the Collector and Comptroller, or other Principal Officer of the Customs resident at the Port or Place where such Goods shall be landed, testifying the Landing thereof; and for such of the said Goods as shall be entered for or landed at any other Place where the same may be legally landed, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bonds shall be discharged in either of the said Cases by Proof, upon Oath made by credible Persons, that the said Goods were taken by Enemies, or perished in the Seas; and if any such Non-enumerated Goods shall be laden on board any such Ship in any British Colony or Plantation in America, before such Bond shall be given, the Goods so laden, together with the Ship, shall be forfeited, and shall and may be seized by any Officer of the Customs, and prosecuted in such manner as any other Forfeiture against the Laws of the Revenue may be prosecuted. 6 Geo. 3. c. 52. § 30, 31. 7 Geo. 3. c. 2. § 1. 20 Geo. 3. c. 10. 39 & 40 Geo. 3. c. 67. Art. 6.

Exception as to certain Ports.

5. Not to extend to Ships which shall be bound to some of the Ports of Spain within the Bay of Biscay. 6 Geo. 3. c. 52. § 31.

Non-enumerated Goods (except Rum) may be landed in Guernsey or Jersey.

6. Any Non-enumerated Goods (except Rum) laden in any British American Colony or Plantation, may be landed in Guernsey or Jersey; and all the Regulations of the 6th Geo. 3. c 52., so far as the same relates to the Bond and Security for landing such Non-enumerated Goods in Great Britain, shall extend to Guernsey and Jersey, as fully as if the said Islands had been excepted and named in the said Act, and may be cancelled and discharged by the Certificate under the Hands and Seals of the Magistrates of the Royal Courts of Jersey or Guernsey respectively, or any Three of them, and the Principal Officers of the Customs in the said Islands respectively, testifying the landing of such Goods, in the same manner as if the Goods had been landed in Great Britain or Ireland. 9 Geo. 3. c. 28. § 3.

Masters of Ships to take Certificates that Bonds have been given, to be delivered up at the Port of unlading.

7. Every Person having the Charge of any Ship, shall, before he departs from any British Colony or Plantation where he receives his Lading, take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (which Certificate such Officers

Officers are required to grant, without Fee or Reward, that Bond hath been given pursuant to the Directions of this or any other Act, as the Case shall require; and the Master shall keep such Certificate in his Custody till the Voyage is completed, and shall then deliver the same up to the Collector or other Chief Officer of the Customs at the Port or Place where he shall discharge his Lading, either in Great Britain, Ireland, or any British American Colony or Plantation, on Forfeiture of £100 for every Offence. 4 Geo. 3. c. 15. § 24. 39 & 40 Geo. 3. c. 67. Art. 6.

If Certificate not produced, the Ship and Cargo forfeited.

6. If any British Ship laden aforesaid with any Goods of the Produce or Manufacture of any British Colony or Plantation in America shall be discovered by any Officer of His Majesty's Customs within Two Leagues of the Shore of any British Colony or Plantation in America, and the Person taking Charge of such Ship shall not produce a Certificate that Bond has been given pursuant to the Directions of this or any other Act, as the Case may require; or if he shall not produce such Certificate to the Collector or other Chief Officer of the Customs where he shall arrive in Great Britain, Ireland, or any British American Colony or Plantation; such Ship and all the Goods therein laden shall be forfeited. 4 Geo. 3. c. 15. § 25. 39 & 40 Geo. 3. c. 67. Art. 6.

Goods (East India).

Not to be imported unless laden in Great Britain or Ireland.

1. No Commodity of the Growth, Product, or Manufacture of the East Indies or other Places within the Limits of the Company's Charter, shall be imported or carried into any Plantation, Colony, Territory, or Place to His Majesty or to the Crown of Great Britain belonging in America, unless bonâ fide and without Fraud laden in Great Britain or Ireland, in Ships navigated according to Law, on Forfeiture of such Goods or the Value thereof, together with the Ship in which imported; and such Ship and Goods shall and may be seized, and the same or the Value thereof shall and may be prosecuted in any of His Majesty's Courts of Record at Westminster or in Dublin, or in any of His Majesty's Courts in such Land, Island, Colony, Territory, or Place where the Offence shall be committed, by Bill, Plaint, or Information, where no Essoign, Protection, or Wager of Law shall be allowed, nor any more than One Imparlance;

One

One Third Part of the said Forfeiture shall be for the Use of His Majesty, One Third Part to the Governor of such Land, Island, Colony, or Place where the Offence shall be committed, and the other Third Part to the Informer or Prosecutor; and if any Officer of the Customs in the said Colonies, Plantations, Territories, or Places aforesaid, shall willingly or knowingly connive at the fraudulent Importation of any such Commodities; or if any such Officer shall take upon him to seize any of the said Commodities, and shall by Fraud or Collusion desist or delay the Prosecution thereof to Condemnation, he shall forfeit £500, to be sued for and recovered in manner aforesaid; and such Officer shall also for the future be incapable of holding any Office or Employment under His Majesty. 7 Geo. 1. st. 1. c. 21. § 9. 39 & 40 Geo. 3. c. 67. Art. 6.

Officers conniving at fraudulent Importation.

2. No Goods of the Growth, Production, or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, shall, upon any Pretence whatever, be exported from any of the Free Ports, to any other British Colony or Plantation in America or the West Indies, on Forfeiture thereof, and of the Ship. 45 Geo. 3. c. 57. § 12.

Not to be exported from the Free Ports to other Colonies;

See FREE PORTS.

3. If any Foreign Ship arriving at any of the Free Ports shall have on board any Goods of the Growth, Production, or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, such Goods shall be forfeited, together with the Ship in which the same shall be brought, whether such Goods shall be intended to be landed or not, or whether Bulk shall have been broken or not. 45 Geo. 3. c. 57. § 13.

or brought into those Parts in Foreign Ships.

See FREE PORTS.

Governors.

1. The Governors or Commanders in Chief of any British Colony or Plantation shall, at their Entrance upon their respective Governments, or within Six Months after the same, take a solemn Oath before such Persons as shall be appointed by His Majesty, to do their utmost that all the Matters contained in any Act of Parliament heretofore made and now in force relating to the said Colonies and Plantations, and all the Clauses contained in 4 Geo. 3. c. 15. shall be punctually observed, according

To take Oaths for the due Observance of Acts relating to the Plantations.

cording to the true meaning thereof, so far as appertains unto them; and upon Complaint and Proof made before His Majesty, or such as shall be by him thereunto authorized and appointed, by the Oath of Two or more credible Witnesses, that any of the said Governors or Commanders in Chief have neglected to take the said Oath, or have been wittingly negligent in doing their Duty, the Governor so neglecting or offending shall be removed from his Government, and forfeit £1000. 7 & 8 W. 3. c. 22. § 4. 8 & 9 W. 3. c. 20. § 69. 4 Geo. 3. c 15. § 39.

Naval Officers to give Security, otherwise the Governors to be answerable.

2. Naval Officers are within Two Months, or as soon as convenient after their Entrance upon their Offices, to give Security to the Commissioners of the Customs, for His Majesty's Use, for the faithful Performance of their Duty, and in Default thereof, shall be disabled to execute the Office; and until such Security is given, and the Person appointed is approved by the Commissioners, the Governors shall be answerable for any the Offences, Neglects, or Misdemeanors of the Persons by them appointed. 7 & 8 W. 3. c. 22. § 5.

No Officer to be appointed in the Plantations for any longer time than he shall reside therein and execute the Duty in Person.

3. No Officer in any Colony, Plantation, or Foreign Possession belonging to the Crown of Great Britain, shall be granted either by Patent under the Great Seal, or by Commission under His Majesty's Sign Manual, or by any other Commission or Instrument under which Officers in Colonies have been heretofore or may hereafter be granted, for any longer Time than during such Time as the Person appointed shall reside in the Colony, Plantation, or Foreign Possession, and execute the Duty of such Office in Person, and behave well therein. 22 Geo. 3. c. 75. § 1 54 Geo. 3. c. 61. § 1.

Wilfully absent or misbehaving, may be amoved.

4. If any Person holding such Office shall be wilfully absent from the Colony or Plantation wherein the same ought to be exercised, without a reasonable Cause, to be allowed by the Governor and Council of such Colony or Plantation, or shall neglect the Duty of such Office, or otherwise misbehave therein, such Governor and Council may amove such Person from his Office; and in case any Person so amoved shall think himself aggrieved, he may appeal therefrom, as in other Cases of Appeal from such Colony or Plantation; whereon such Amotion shall be finally judged of by His Majesty in Council. 22 Geo. 3. c. 75. § 2.

5. But

Leave of Absence may be granted by Governor and Council.

5. But the Governor and Council of any Colony or Plantation may give such Leave of Absence as they shall see Occasion; and in such Case, as likewise in the Case of Vacancy occasioned by Death or Amotion, may provide for the due Discharge of the Duties of such Offices until the King's Pleasure shall be known. 22 Geo. 3. c. 75. § 3.

Leave of Absence to be reported, and if not confirmed by Secretary of State, the Officer must return to the Colony.

6. In all Cases in which the Governor and Council of any Colony, Plantation, or Foreign Possession, shall hereafter grant Leave of Absence to any Person holding an Office within the same, to which he shall have been appointed subsequent to the passing of this Act, the Governor or Lieutenant Governor, or other Person administering the Government, shall, within One Week after granting the Leave of Absence, report the same to One of His Majesty's Principal Secretaries of State for Confirmation; and in case it shall not be confirmed within One Month from the Date of such Report having been received by the Secretary of State, the Officer shall forthwith return to the Colony, Plantation, or Foreign Possession, and in default thereof shall be deemed to have vacated the Office, and his Appointment shall be considered void. 54 Geo. 3. c. 61. § 2.

Penalty for not reporting Leave of Absence.

7. Every Governor, Lieutenant Governor, or other Person administering the Government of any Colony, Plantation, or Foreign Possession, who shall neglect to report as before directed such Leave of Absence, shall for such Neglect forfeit a Sum not exceeding £100, to be recovered by Action of Debt in any of His Majesty's Courts of Westminster, within One Year after the Arrival in England of the said Governor, or Person administering the Government. 54 Geo. 3. c. 61. § 3.

A Return of absent Officers to be laid before Parliament.

8. Within Six Weeks after the opening of every Session of Parliament there shall be laid before the House of Commons, a Return of all Persons holding Offices in the Colonies, appointed thereto subsequent to the passing of this Act, who may not be present in the Execution of the Duties of their Offices; and such Return shall be made in the Form prescribed in the Schedule (A.) to this Act annexed. 54 Geo. 3. c. 61. § 4.

Not to affect certain Appointments.

9. Nothing in this Act contained shall operate to the Prejudice of any subsisting Grant of any Office, or shall be construed to affect any Appointment, or any Leave of Absence granted previous to the passing of this Act, or

any

any renewed Grant of Office which may be made in consequence of the Demise of the Crown to any Person now holding the same; and no Provision of this Act shall be applicable to any Office granted or to be granted by the East India Company, or to any Rules, Regulations, or Provisions made by the Company, with respect to the Appointment or Leave of Absence of any of their Civil or Military Servants. 54 Geo. 3. c. 61. § 5.

May require Security for landing Plantation Goods if Certificate suspected to be false.

10. In Cases where the Governor or Officers of the Customs of any British Colony or Plantation shall have reasonable Ground of Suspicion that the Certificate required by these Acts from the Officers of the Customs in Great Britain or Ireland, of Bond having been given for carrying enumerated Goods to some other British Plantation, or to Great Britain or Ireland, is false or counterfeit, the Governor or Officers shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and such Governor or Officer shall not in such Case cancel or vacate the Security, until informed from the Commissioners of the Customs, that the Matter of the Certificate is true; and any Person who shall counterfeit, rase, or falsify any Certificate for any Vessel or Goods, or knowingly or wilfully make use thereof, shall forfeit £500, and the Certificate shall be of no effect. 12 Car. 2. c. 18. § 19. 7 & 8 W. 3. c. 22. § 10. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

Lists of Bonds and Ships taking enumerated Goods to be sent annually to Officers of the Customs.

11. The Governors or their Commanders in Chief of His Majesty's Plantations are, once a Year at least, to turn to His Majesty's Officers of His Customs in the Port of London, or such other Person as His Majesty shall appoint to receive the same, a List of all such Ships as shall have laden any enumerated Goods in such Plantations, as also a List of all the Bonds taken by them. 22 & 23 Car. 2. c. 26. § 12.

Masters of Ships to make known the Arrival to Governor, and deliver Invoice.

12. No Ship coming to any Plantation, Colony, or Place to His Majesty belonging in America, shall lade or unlade any Goods, until the Master shall have made known to the Governor thereof, or such Officer as shall be by him thereunto appointed, the Arrival of the Ship, with her Name, and the Name of the Master, and shewn that she is British-built, navigated and registered according to Law, nor until he shall have delivered to such Governor or other Officer a true Inventory or Invoice of the Lading, together with the Places in which the Goods were taken on board, under pain of the Loss of

the

the Ship, and of all such Goods, the Production or Manufacture of Europe, as were not bonâ fide laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 7 & 8 W. 3. c. 22. § 2. 4 Ann. c. 6. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. Art. 6.

May seize certain Articles landed before Entry.

13. Sugar, Indigo, or Wine, unshipped or landed before due Entry and Payment of Duties, or without a Warrant signed by the proper Officer, may be seized by the Governor or Commander in Chief of the Colony or Plantation where so unshipped or landed, or by any Person by him authorized. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.

To make Registry of British Ships.

14. The Governors, Lieutenant Governors, or Commanders in Chief of the British Colonies or Plantations, and the Principal Officers of the Customs there, authorized to make Registry of British Ships, and grant Certificates of such Registry. 15 Geo. 2. c. 31. § 2. 26 Geo. 3. c. 60. § 3.

See Registry of British Ships.

To appoint Persons to admeasure Ships.

15. The Governors, Lieutenant Governors, or Commanders in Chief of the British Colonies or Plantations, shall appoint Persons to examine and admeasure every Ship previous to Registry, and who are to deliver a true Account in Writing of the Particulars of the Built, Description, and Admeasurement of every such Ship, to the Person authorized to make Registry, and grant Certificate thereof. 26 Geo. 3. c. 60. § 12.

See Registry of British Ships.

May grant Licence for the Removal of Slaves.

16. The Governors of any Colony or Territory belonging to or under the Dominion of His Majesty, or any Person executing the Office or Function of Governor, by Authority from His Majesty, may grant Licence for the Removal of Slaves from one British Colony to another. 46 Geo. 3. c. 52. § 13, 14. 51 Geo. 3. c. 23. § 4.

See Slaves.

To take Charge of Slaves captured or seized.

17. The Governor, or Lieutenant Governor, or other Person exercising the Authority of Governor in any British Colony or Plantation, may authorize the Collector or Chief Officer of the Customs to take the Care and Custody of Slaves captured as Prize of War, or seized as forfeited under any Act passed for the Abolition of the African Slave Trade, during the Proceedings and until the Court shall have made its Decree, condemning or restoring the said Slaves. 55 Geo. 3. c. 172. § 1.

See Slaves.

The Port of Saint George in Grenada, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

St. George, a Free Port.

See FREE PORTS.

Grindstones. See "Gypsum."

Guernsey and Jersey.

1. Any Person inhabiting Jersey or Guernsey, may lade in the said Islands, and transport directly from thence to any of the British Colonies or Plantations in America where the Fishery is carried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships, or on Shore, in carrying on the Fishery there; provided such Craft, Clothing, or other Goods are the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Victuals are the Produce of Great Britain, Ireland, or of Guernsey or Jersey. 9 Geo. 3. c. 28. § 1.

Food and Articles for the Fishery may be there laden.

2. Provided also that the Master produces to the proper Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Lieutenant or Deputy Governor, or Commander in Chief, that Oath had been made by the Shipper before the Magistrates of the Royal Courts, or any Three of them, that the Goods and Victuals so shipped are of such Product or Manufacture; which Certificate shall also be attested by the principal Officer of the Customs in the said Islands, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Food, &c. found on board any Ship, and the Ship importing the same, shall be seized and forfeited, in the same manner as they would have been if this Act had not been made. 9 Geo. 3. c. 28. § 2.

But a Certificate must be produced as to their Produce and Manufacture.

3. Any non-enumerated Goods (except Rum, Iron, and Lumber,) laden in any British American Colony, may be landed in Guernsey or Jersey. 9 Geo. 3. c. 28. § 3.

See GOODS, NON-ENUMERATED.

The Act 28 Geo. 3. c. 6. regulating Intercourse with the United States, extended to the Colonies in Guiana.

1. The Privileges and Advantages, Regulations, Restrictions, Penalties, and Forfeitures in 28 Geo. 3. c. 6. with respect to Trade between His Majesty's Colonies and Plantations in North America and the West India Islands, and the Countries belonging to the United States of America, and between His Majesty's Subjects and the Foreign Islands in the West Indies, shall extend to the Colonies of Demerara, Berbice, and Essequibo in the Province of Guiana. 56 Geo. 3. c. 91. § 1.

See UNITED STATES.

Duty on Rum in Newfoundland.

2. There shall be collected and paid, upon Rum imported into Newfoundland from Demerara, Berbice, and Essequibo, the Sum of Sixpence for every Gallon, to be recovered and applied in the like Manner, and under the like Penalties and Forfeitures, as are provided by 52 Geo. 3. c. 106. with respect to Rum imported into the said Island from any British Colony or Plantation in the West Indies. 56 Geo. 3. c. 91. § 2.

See SPIRITS.

Supplies for the Estates of Dutch Proprietors, may be imported from the Netherlands.

3. Any of the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo, may import from the Netherlands into the said Colonies respectively, all the usual and necessary Articles of Supply for their Estates, or the Clothing, Maintenance, and Comfort of the Residents thereon, not to exceed what may be deemed necessary for the particular Estates for which they are to be imported, and to be actually applied to such Purposes, and not for Trade; and in case of Seizure of any such Articles on the Ground of their being imported in the way of Trade and not as Supplies, the Proof that such Articles are Supplies, and imported under the Conditions of the Convention concluded between His Majesty and the King of the Netherlands, shall lie on the Dutch Proprietor importing the same; and if such Proof is given, in consequence of any Dispute arising thereupon, before the Collector or principal Officer of the Customs (who are empowered to administer an Oath or take Affidavit for the Purposes of any such Examination and Proof), the Goods shall be admitted to Entry; provided the Importer enters into Bond with Two Sureties, in a sufficient Sum, to abide the Decision of the Board of Customs in England upon such Seizure; and Wine as a Medicine, and necessary Article of Supply, may be imported to such a limited Extent

In case of Dispute, Proof to lie on the Dutch Proprietors.

Extent as may be necessary as a Medicine, and shall be liable to the Duty of 10s. per Ton. 56 Geo. 3. c. 91. § 3.

Dutch Proprietors may export to the Netherlands the Produce of their Estates.

4. The Subjects of the King of the Netherlands, being Dutch Proprietors in the said Colonies of Demerara, Berbice, or Essequibo, may export from thence to the Netherlands the Produce of their Estates. 56 Geo. 3. c. 91. § 4.

Who are to be deemed Dutch Proprietors.

5. All Subjects of the King of the Netherlands, resident in His said Majesty's European Dominions, who were, at the Date of the Signature of the said Convention, Proprietors of Estates in the said Colonies; and all Subjects of His said Majesty, who may hereafter become possessed of Estates then belonging to Dutch Proprietors therein; and all such Proprietors as being then resident in the said Colonies, and being Natives of His Majesty's Dominions in the Netherlands, who may have declared within Three Months after the Publication of the Convention in the said Colony, that they wish to continue to be considered as such; and all Subjects of the King of the Netherlands who may be the Holders of Mortgages of Estates in the said Colonies, made prior to the Date of the Convention, and who may under their Mortgage Deeds have the Right of exporting from the said Colonies to the Netherlands the Produce of such Estates, shall be deemed Dutch Proprietors; provided that where both Dutch and British Subjects have Mortgages upon the same Property, the Produce to be consigned to the different Mortgagees shall be in proportion to the Amount of the Debts respectively due to them. 56 Geo. 3. c. 91. § 5.

Such Importations and Exportations may be carried on in Dutch Ships.

6. All such Importation from the Netherlands into the said Colonies for the Supply of Estates therein, and Exportation of the Produce of such Estates to the Netherlands, may be carried on in any Ships being the Property of Subjects of the King of the Netherlands, whereever built, and without any Restriction or Limitation as to the Mariners navigating the same, for Five Years, commencing from the 1st Day of January 1816; provided the Master of such Ship shall produce to the proper Officer of His Majesty's Customs in the Colony, satisfactory Proof of the said Ships being owned by a Subject of the King of the Netherlands; provided also, that the King of the Netherlands may, at any Time before the Expiration of the Five Years, direct that such Trade shall be carried on only in such Ships as are

Dutch-built, and whereof the Master and Three-fourths of the Crew are the Subjects of His said Majesty; and that after the Expiration of the said Five Years, no such Trade shall be carried on, except in Ships Dutch-built, and whereof the Master and Three-fourths of the Crew are Subjects of His said Majesty the King of the Netherlands. 56 Geo. 3. c. 91. § 6.

To be liable to the same Duties and Restrictions as the like Articles are subject to.

7. All such Importations and Exportations shall be subject to the same Duties as are payable by His Majesty's Subjects on Importations and Exportations of the like Articles, and be subject to the same Regulations and Restrictions for the due landing of any such Produce in the Netherlands, as are provided by the Acts now in force for the Landing of the like Articles in Great Britain, so far as applicable. 56 Geo. 3. c. 91. § 7.

Dutch Proprietors not to export the Produce of their Estates to His Majesty's Dominions.

8. But it shall not be lawful for Persons who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, to export the Produce of their Estates within the said Colony to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 8.

Importations in consequence of the Convention to be deemed lawful.

9. All Importations and Admissions to Entry made in consequence of any of the Articles of the Convention, shall be lawful and effectual, as if the same had been made in pursuance of this Act, and all Persons concerned therein shall be indemnified in respect thereof. 56 Geo. 3. c. 91. § 9.

Gums—Arabic, Mastic, Myrrh, Sicily, and Ammoniac,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See Gibraltar.
Malta.

1. May be exported from any Ports specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, in any British Vessel, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty; provided that the Articles shall not be exported from the said Ports to any Foreign Country or Place in any Foreign Vessel, unless such Foreign Vessel shall belong to the Country to which the Articles shall be exported. 58 Geo. 3. c. 19. § 1. 4, 5.

May be exported in Foreign Ships from Ports to be appointed by His Majesty in Nova Scotia or New Brunswick;

2. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

subject to such Regulations as His Majesty shall think fit.

3. This Act shall continue in force during the Space of Three Years from and after the passing of the same *, and until Six Weeks after the Commencement of the then Session of Parliament. 58 Geo. 3. c. 19. § 7.

Limitation of Act.

Hats and Felts.

1. No Hats or Felts shall be put on board any Ship in any Place within the British Plantations, nor laden upon any Horse, Cart, or other Carriage, to the Intent to be shipped off or conveyed out of the said Plantations, to any other of the British Plantations, or to any Place whatever. † 5 Geo. 2. c. 22. § 1.

Not to be exported to any Place whatever.

2. If exported, shipped off, or loaden contrary to this Act, shall be forfeited, and the Offender shall forfeit £500 for every Offence; and every Master Mariner of any Ship, or Porter, Carter, Waggoner, Boatman, or other Person knowing such Offence, and wittingly aiding and assisting therein, shall forfeit £40. 5 Geo. 2. c. 22. § 2.

Forfeited if shipped, and Penalty on Offenders.

3. Any Person may seize, and secure in His Majesty's next Warehouse, all such Hats and Felts as he shall discover to be on board any Ship or Boat, or brought or laid on Shore at or near the Sea, or any navigable River

Intended to be exported may be seized by any Persons.

* 8th *May* 1818.

† *By* 52 *Geo.* 3. *c.* 100. *and* 57 *Geo.* 3. *c.* 29. *any Goods the Produce or Manufacture of Europe, or any Prize Goods, may be exported from one British Colony to another.* See "Europe."

or Water, to the Intent to be exported, or to be laden upon any Horse, Cart other Carriage to the Intent to be exported or conveyed into any other Plantation or Place; and such Person seizing any Commodities shall be indemnified for so doing. 5 Geo. 2. c. 22. § 3.

Penalty on Officers signing Documents for the Exportation or conniving thereat.

4. If any Commissioner, or other Officer of the Customs of any Place within the British Plantations, or any Officer employed in the Management of the Revenues, shall take any Entry outward, or sign any Cocket, Warrant, or Sufferance for the shipping or exporting any Hats or Felts, or shall wittingly suffer the same to be done, in every such Case such Commissioner, &c. signing such Cocket, Warrant, or Sufferance, or passing such Entry, or conniving thereat, shall for every Offence forfeit his Office and £500. 5 Geo. 2. c. 22. § 4.

Offences may be heard in the County where Goods laden or Offender apprehended.

5. Every Offence against this Act may be inquired of, heard, and determined in the County where any such Goods shall be laden, or in the County or Place, either in Great Britain or the Plantations, where such Offender shall be apprehended for such Offence, or where any of the Goods shall be seized or brought in; and the Trial shall be in such Manner and Form as if the Offence had been wholly committed in the same County or Place where tried in pursuance of this Act. 5 Geo. 2. c. 22. § 5.

Hemp and Flax.

Of the United States may be imported into the West India Islands and Colonies in Guiana in British Ships;

1. The Growth or Production of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana; but the said Articles shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

and may be imported into Bermuda in Foreign Ships, and exported in British.

2. The Growth or Production of the said Territories, may be imported from thence into Saint George, or Hamilton in the Island of Bermuda, in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-

British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under Foreign European States;

3. Not to be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

except in case of Emergency, for the Supply of the Inhabitants.

4. In case of public Emergency or Distress, the Governor, Lieutenant Governors, or Commanders in Chief of any of the said Islands in the West Indies, under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation of Hemp and Flax, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies respectively; provided that such Hemp and Flax shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

Imported for the Supply of the Inhabitants, not to be exported; and before shipping Hemp or Flax that may be exported, Proof to be made that the Articles were not imported for such Supply.

5. In case any Hemp or Flax which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants as aforesaid, shall, after such Importation, be exported or put on board any Ship, Vessel, or Boat, or brought to any Quay with Intent to be so exported, the same shall be forfeited, as also the Ship, Vessel, or Boat in which laden; and before shipping of any Hemp or Flax, whether in its manufactured or unmanufactured State, that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies, or Colony on the

Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

False Oaths deemed Perjury.

6. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 2, 3. 31 Geo 3. c. 38. § 5.

May be imported from the Portuguese Dominions in South America.

7. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama or Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, any Flax or Hemp being the Growth or Production of some of the Territories or Dominions of the Crown of Portugal in South America; provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

By whom Seizures may be made.

8. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 56. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

Hides and Skins,

Not to be exported unless to some other Plantation, or Great Britain or Ireland.

1. Of the Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. The

2. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel whatever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

May be imported into the Free Ports in Foreign Vessels;

3. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from any of the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23. Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

and exported from thence to the United Kingdom.

Hogs. See "Cattle."

Honey,

May be exported from Malta or any of the Dominions thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Importation allowed from Malta or Gibraltar.

Horses. See "Cattle."

Household Furniture.

See "Settlers."

Jalap.

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 53 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4.

See Gibraltar.
Malta.

Jamaica.

Free Ports.

1. Certain Articles allowed to be imported into and exported from Kingston, Savannah la Mar, Montego Bay, Santa Lucea, Antonio, Saint Ann, Falmouth, and Maria, in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

British Ships not to sail to or from Saint Domingo.

2. No British Ship shall, under any Pretence, sail from any Place in Jamaica to any Place in Saint Domingo, nor from any Place in Saint Domingo to any Place in Jamaica, except as herein-after provided, under the Forfeiture of such Ship, together with her Cargo. 52 Geo. 3. c. 35. § 1.

Foreign Ships from thence, not to enter any Port in Jamaica, if any Person on board the Island.

3. No Foreign Ship, whether laden or in Ballast, shall come into any Port in Jamaica, if such Ship shall have come from, or shall in the course of her Voyage have touched at, any Place in Saint Domingo; and if any such Foreign Ship shall land any Person, or shall continue in any Port or Harbour of Jamaica for 48 Hours after Notice shall be given by the Principal Officer of the Customs resident at the Port to depart therefrom, such Foreign Ship shall be forfeited, together with her Cargo. 52 Geo. 3. c. 35. § 2.

Not to prohibit Intercourse with Places under the Spanish Government.

4. But not to extend to the prohibiting of any Intercourse which may be carried on by any Law now in force between Jamaica and any Port or Place in Saint Domingo which now is or shall be in the Possession of, and under the Dominion of the Spanish Government, while the same shall continue under such Possession and Dominion; nor to prevent any of His Majesty's Ships of War from sailing from any Place in Jamaica to any Place in Saint Domingo, nor from any Place in Saint Domingo to any Place in Jamaica. 52 Geo. 3. c. 35. § 3, 4.

Ships [illegible] Cargoes may [illegible] Jamaica,

5. Provided also, that British Ships, or Ships belonging to any State in Amity with His Majesty, and bound

to any Place within His Majesty's Dominions, sailing from any Place in Saint Domingo, under Convoy of One of His Majesty's Ships, may touch at such Port of Jamaica as may have been appointed by His Majesty's Naval Officers for the Rendezvous or Assembling, for the Purpose of Convoy of the general Homeward-bound Trade; but no Person from on board such Ship shall land upon or otherwise communicate with Jamaica, without a special Licence to that Effect, under the Hand and Seal of the Governor or Lieutenant Governor of the Island, the Admiral commanding in chief on the Station, or the Senior Officer commanding His Majesty's Ships appointed to convoy the said Ship, which Licence they shall not grant, except in Cases of urgent Necessity; and if any Person belonging to such Ship shall land or otherwise communicate with the Shore without such Licence, the Forfeitures and Penalties of 52 Geo. 3. c. 35. shall take effect. 53 Geo. 3. c. 3. § 1.

but no Person to land without Licence.

6. All Ships and Goods liable to Forfeiture under this Act, may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or any Commissioned, Warrant, or Petty Officer by him specially authorized, or by any Officer of His Majesty's Customs; and may be sued for and prosecuted in the like manner, and by the same Rules and Regulations, as any Forfeitures incurred in the British Colonies or Plantations in America, by force of any Act relating to the Trade and Revenues of the said Colonies or Plantations may now be sued for and prosecuted in pursuance of 49 Geo. 3. c. 107.; and such Ships and Goods shall be deposited in the Custody of the Officers mentioned in the said Act, and be subject to the other Provisions thereof, in like manner as if herein repeated; and the Commanders or Officers of any Ships of War, and the Officers of the Customs, in making or prosecuting any such Seizures, shall have the Benefit of all the Provisions made by any Act for the Protection of Officers seizing and prosecuting any Ships or Goods, for any Offence against any Act relating to the Trade and Revenues of the British Colonies or Plantations in America. 52 Geo. 3. c. 35. § 5.

By whom Ships may be seized and prosecuted.

7. The Forfeitures incurred by this Act shall belong to such Persons, and in such Shares, as any Forfeitures incurred in the British Colonies or Plantations in America now belong to and may be distributed under 4 Geo. 3. c. 15.—52 Geo. 3. c. 35. § 6.

How Forfeitures to be divided.

8. If

In case of Dispute the Proof to lie upon the Owner or Claimer.

8. If any Ship or any Goods laden thereon shall be seized under this Act, and any Dispute shall arise whether the said Vessel had sailed, or the Goods laden thereon had been brought from any Place in Jamaica to any Place in Saint Domingo, or from any Place in Saint Domingo to any Place in Jamaica, contrary to this Act, the Proof thereof shall lie upon the Owner or Claimer of such Ship or Goods, and not upon the Officer who shall seize the same; and in case no sufficient Proof shall be given by the Owner or Claimer of such Ship, or the Goods laden thereon, of the Place from and to which such Goods had been brought, and such Ship did really and bonâ fide sail, then such Ship shall, without any further Proceeding, be held to have sailed, and the Goods laden thereon shall be held to have been brought, from one of the said Islands to the other, contrary to this Act. 52 Geo. 3. c. 35. § 7.

If Forfeiture arose without any fraudulent Intent, the Ship may be restored.

9. In case any Ship or Goods shall be seized as forfeited in pursuance of this Act, the Commissioners of the Customs in England, or any Four or more of them, on Evidence being given to their Satisfaction that the Forfeiture arose without any fraudulent Proceeding or Intention of Fraud in the Proprietor, may, by any Writing signed by any Four of them, order the same to be restored to such Proprietor, on such Conditions as under the Circumstances of the Case shall appear to the said Commissioners to be just and reasonable; and if the said Proprietor shall comply with the Conditions prescribed, the same shall be restored, and it shall not be lawful for the Officer, or any other Person on his Behalf, to proceed in any manner for the Condemnation thereof; but if such Proprietor shall not comply therewith, such Officer shall be at Liberty to proceed for the Condemnation of such Ship or Goods, as if this Law had not been made; provided always, that if such Proprietor shall accept the Conditions, he shall not be entitled to any Recompence or Damages on account of the Seizure or Detention of such Ship or Goods, or have or maintain any Action for the same. 52 Geo. 3. c. 35. § 8.

Implements. See "Fisheries."

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Vessels, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. Importation allowed from Malta or Gibraltar.

See Gibraltar.
Malta.

Indigo.

1. The Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 7 & 8 W. 3. c. 22. § 13. 12 Car. 2. c. 18. § 18. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8. Not to be exported unless to some other Plantation, or Great Britain or Ireland.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. There shall be paid to His Majesty Two-pence for every Pound Weight of Indigo shipped in His Majesty's Plantations, if Bond is not given, with one sufficient Surety, to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Landing thereof. 25 Car. 2. c. 7. § 2. Duty upon Exportation.

3. The Duty shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § Receipt and Appropriation.

4. The Duties shall be levied by the Commissioners of the Customs in England, under the Authority and Directions of the Lords of the Treasury. 25 Car. 2. c. 7. § 3. By whom to be levied.

5. In case any Person liable to pay the Duty shall not have Money wherewith to answer the same, the Officer shall accept, Officers may accept a Proportion of the Commodity.

accept, instead of the Money, such Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. § 4.

Bond must be given although the Duty paid.

6. Notwithstanding the Payment of the said Duty, no Indigo shall be shipped until the Security required by 12 Car. 2. c. 18., and 22 & 23 Car. 2. c. 26., has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations. 7 & 8 W. 3. c. 22. § 8.

Laws or Customs in the Plantations repugnant to this Act, void.

7. All Laws, Bye-Laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are any ways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Laws shall relate and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

Penalty on Persons concerned in the Loading before Duty paid, or to whose Hands the Goods shall come.

8. If the Goods shall be loaden on board any Vessel before the Duties due thereon are paid, every Person assisting or otherwise concerned in the loading Outwards, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value, to be computed according to the best Price the Commodity bears at the Place where the Offence is committed; and all the Boats made use of in the Loading shall be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 37.

May be imported into the Free Ports in Foreign Vesse's;

9. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel whatever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See Free Ports.

and exported from thence to the United Kingdom.

10. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10., with respect

respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

May be exported to Malta or Gibraltar.

11. The Production of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to the Island of Malta, or the Dependencies thereof, or to Gibraltar, in such Ships, and under the Licences, Entries, Securities, Regulations, Penalties, and Forfeitures herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Not of the British Plantations, Duty on Importation into British Colonies.

12. There shall be paid unto His Majesty upon Indigo, of the Produce or Manufacture of any Colony or Plantation in America not under the Dominion of His Majesty, which shall be imported or brought into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Pound Weight Avoirdupois of such Indigo, Sixpence. 4 Geo. 3. c. 15. § 1.

To be collected and paid as former Duties.

13. The Duties shall be collected and paid in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, (not otherwise altered by this Act) as are mentioned and expressed in 6 Geo. 2. c. 13. (See "Sugar") with respect to the collecting and Payment of the Duties thereby granted; and all Powers, Penalties, Provisions, Articles, and Clauses in that Act contained and referred unto, (except in such Cases where any Alteration is made by this Act) shall be applied and put in Execution for the collecting and answering the Duties hereby granted, as effectually as if the same were particularly re-enacted in this Act. 4 Geo. 3. c. 15. § 7.

To be paid into the Exchequer and reserved for the Disposition of Parliament.

14. The Duties (except the necessary Charges of raising, paying, recovering, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, and be entered separate and apart from all other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of defending and securing the British Colonies in America. 4 Geo. 3. c. 15. § 11.

Duty not to be paid if warehoused on Importation and exported within 12 Months.

15. No Duty whatsoever shall be paid for any Foreign Indigo, which shall be imported or brought into any British Colony or Plantation on the Continent of America, provided, upon the Landing thereof, the same shall be

be immediately secured in Warehouses at the sole Expence of the Importer or Proprietor of such Indigo, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller, or other Principal Officer of the Customs, and under the Locks of such Officers and the Proprietor; provided that within 12 Calendar Months the same shall be shipped for Exportation to Great Britain or Ireland, under the like Securities, Regulations and Restrictions, Penalties and Forfeitures, as are particularly mentioned and expressed in any Act of Parliament with respect to Indigo of the Growth or Produce of any British Colony or Plantation. 6 Geo. 3. c. 52. § 16. 39 & 40 Geo. 3. c. 67. Art. 6.

If Duty not paid, or Goods exported, they may be sold.

16. If the Importer or Proprietor of any Indigo, warehoused as aforesaid, shall not pay the Duties due for the same, nor export the Goods within 12 Calendar Months, the Collector and Comptroller, or other Principal Officer of the Customs at the Port or Place where such Goods shall be secured, may cause the same to be publicly sold to the best Advantage, and the Money arising by such Sale shall be in the first Place applied in Discharge of the Duties, and the Charges attending the Sale, and the Surplus of the Money (if any), after Payment of the said Duties and Charges, shall be paid to the Importer or Proprietor who landed and warehoused the Goods, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. § 17.

Exemption on Importation into West India Islands.

17. Nor shall any Duty be paid upon Indigo of Foreign Produce or Manufacture, imported into any British Island in the West Indies, provided a due Entry thereof is made in the Custom-house at the Port of Importation, and the Goods are landed in the Presence of the proper Officer; otherwise the same shall be liable to the Duties as if this Act had not been made. 6 Geo. 3. c. 52. § 18. 21.

Insurances.

Not to be effected relative to Slave Trade.

No Person residing within His Majesty's Dominions shall effect any Insurance in respect to any of the dealing, removing, or other Transactions which by the Acts for restraining or prohibiting the African Slave Trade are declared to be unlawful. 46 Geo. 3. c. 72. 47 Geo. 3. c. 36.

See Slaves.

1. Any Goods the Product or Manufacture of the British Colonies or Plantations in America or the West Indies, and which by any Act of Parliament are required to be imported from such Colonies or Plantations into Great Britain, and also any other Goods which, having been in any way legally imported into the said Colonies or Plantations, may now or hereafter be legally exported from thence to Great Britain, may be laden in and exported from such Colonies or Plantations, and in like manner imported directly from thence into Ireland; and the Officers in the Colonies or Plantations shall grant the like Documents and Certificates for Ireland, the same as for Great Britain, and under the like Penalties and Forfeitures; and any Goods the Production or Manufacture of Ireland, or of Great Britain legally exported from thence into Ireland, or of the Production or Manufacture of any other Part of Europe, and any Goods of the Product or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, which are required to be shipped or laden in Great Britain, to be carried directly from thence to any British Colony or Plantation in America, as also any other Goods which may be legally shipped in Great Britain, to be carried directly from thence and imported to any Colony or Plantation in America or the West Indies, may be shipped at any Port in Ireland, and exported directly from thence, and in like manner imported into any British Colony or Plantation in America or the West Indies, provided that the Ships in or on board which such Goods shall be so imported or exported, shall be subject to the same Rules, Visitations, Searches, Penalties and Forfeitures, to which Ships importing or exporting the like Goods from or to Great Britain are subject by the Laws in force. 3 & 4 Ann. c. 8. § 2, 3. 18 Geo. 3. c. 55. § 2. 20 Geo. 3. c. 10. § 1. 33 Geo. 3. c. 63. § 2.

Trade allowed to and from Ireland, under the like Rules, &c. as Trade to and from Great Britain is subject.

2. No Goods which by this or any Act may be legally imported from Ireland into any of the British Colonies or Plantations in America or the West Indies, shall be subject to Forfeiture by 4 Geo. 3. c. 15.* provided the Master of the Ship carrying such Goods shall produce a Cocquet or Clearance from the proper Officer or Officers of

No Goods from Ireland to be forfeited if Cocket or Clearance is produced.

* *This Act forfeited all Goods for which a Cocket or Clearance was not produced, certifying that they were laden in some Port of Great Britain.*

His Majesty's Customs, certifying that the said Goods were laden on board the said Ship in some Port of Great Britain or Ireland respectively. 20 Geo. 3. c. 10. § 4.

No Trade allowed when prohibited with Great Britain.

3. But this Act shall not allow any Person to trade to, from, or in any Colony or Plantation in America, during such Time and in such Manner as the Trade or Intercourse of Great Britain with such Colony or Plantation is or shall be prohibited or restrained by any Act made or hereafter to be made in this Kingdom; but whenever Trade and Intercourse shall be permitted between Great Britain and such Colonies, the same Trade and Intercourse shall in like manner be permitted and allowed between Ireland and the said Colonies. 20 Geo. 3. c. 10. § 7.

Subjects of the Two Countries to be on the same Footing as to Trade and Navigation.

4. His Majesty's Subjects of Great Britain and Ireland shall be entitled to the same Privileges, and be on the same Footing as to Encouragements and Bounties on the like Articles, being the Produce or Manufacture of either Country, and generally in respect of Trade and Navigation, in all Ports and Places in the United Kingdom and its Dependencies; and in all Treaties made by His Majesty, His Heirs and Successors, with any Foreign Power, His Majesty's Subjects of Ireland shall have the same Privilege and be on the same Footing as His Majesty's Subjects of Great Britain. * 39 & 40 Geo. 3. c. 67. Art. 6.

Iron,

Bond to be given that it shall not be landed except at Places herein mentioned.

The Production or Manufacture of any British Colony or Plantation in America, shall not be there laden to be carried from thence, until sufficient Bond be given, with One Surety besides the Master of the Ship, to the Collector or other Principal Officer of the Customs at the loading Port, in Double the Value of the Goods, with Condition that the same shall not be landed in any Part of Europe, except Great Britain or Ireland; which Bond shall be discharged in the manner hereinafter mentioned; that is to say, for such Iron as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in discharge thereof

*The Act passed by the Parliament of Ireland for the Union of the Two Countries, (viz. 40 Geo. 3. c. 38.) contains an Article precisely similar to the present.

within 18 Months from the Date of the Bond, and within 6 Months for such Iron as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificates shall be under the Hands and Seals of the Collector or other Principal Officer of the Customs resident at the Port or Place where landed, testifying the Landing thereof; and for such Iron as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond shall be discharged by Proof upon Oath made by credible Persons, that the Iron was taken by Enemies or perished in the Seas. 4 Geo. 3. c. 15. § 28. 5 Geo. 3. c. 45. § 22. 39 & 40 Geo. 3. c. 67. Art. 6.

Juniper Berries,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See Gibraltar.
Malta.

Justices.

Subscribing their Names to Affidavits where the Party does not appear before them.

Any Justice of the Peace who shall subscribe his Name to any Paper or Parchment purporting to be an Affidavit, for the Purpose directed by 4 Geo. 3. c. 15., and the Person purporting to make such Affidavit shall not have appeared before him, and sworn to the Truth of the Affidavit, every such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. § 2.

See Sugar.
Spirits.

Kingston.

A Free Port.

One of the Free Ports of Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Lava,

Importation allowed from Malta or Gibraltar.

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Laws.

Of the Colonies void, if repugnant to any Law of Great Britain.

1. All Laws, Bye-Laws, Usages, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are in anywise repugnant to any Law made in this Kingdom, so far as such Laws relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

May be made to bind the Colonies and People of America.

2. The Colonies and Plantations in America are subordinate unto and dependent upon the Crown and Parliament of Great Britain, and the Parliament hath full Power and Authority to make Laws to bind the Colonies and People of America in all Cases whatsoever; and all Resolutions and Proceedings in any of the said Colonies or Plantations, whereby such Power and Authority of the Parliament to make Laws is denied or drawn into Question, are null and void. 6 Geo. 3. c. 12.

Lead.

Duty upon Importation from Great Britain or Ireland.

1. There shall be paid to His Majesty upon Lead hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Cwt. Avoirdupois of Red Lead or White Lead, Two Shillings. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

To be recovered as other Duties, and applied for the Use of the Colonies where necessary, and

2. The Duties shall be deemed Sterling Money of Great Britain, and recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver,

Silver, in the same manner, and by such Rules, Penalties, and Forfeitures, as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations may be paid and recovered; and the Monies that shall arise thereby (except the necessary Charges of collecting, recovering, and accounting for the same) shall be applied in making Provision for the Charge of the Administration of Justice, and the Support of Civil Government in such of the Colonies and Plantations where it shall be found necessary, and the Residue shall be paid into the Exchequer, and entered separate and apart from other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 7 Geo. 3. c. 46. § 4.

the Residue paid into the Exchequer.

3. His Majesty, by any Warrant under His Royal Sign Manual, countersigned by the High Treasurer, or any Three or more of the Commissioners of the Treasury, may cause such Monies to be applied out of the Produce of the Duties granted by this Act, as His Majesty shall think necessary, for defraying the Charges of the Administration of Justice and the Support of the Civil Government within all or any of the said Colonies or Plantations. 7 Geo. 3. c. 46. § 5.

His Majesty may appropriate the Duties for the Use of all or any of the Colonies.

Lemons,

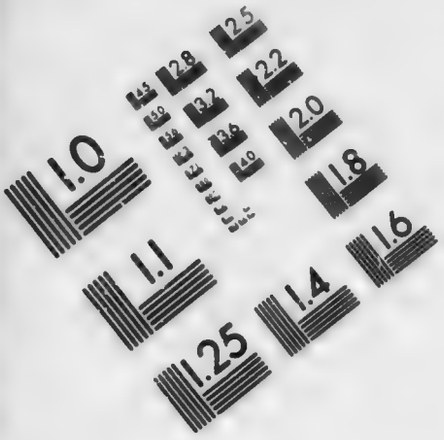
The Produce of the Azores or Madeiras, may be shipped in the said Islands for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports, in any British-built Ship, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

Importation allowed from the Azores or Madeiras.

Lentils,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-

Importation allowed from Malta or Gibraltar.



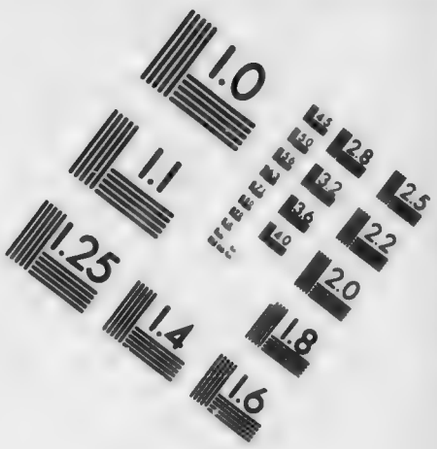
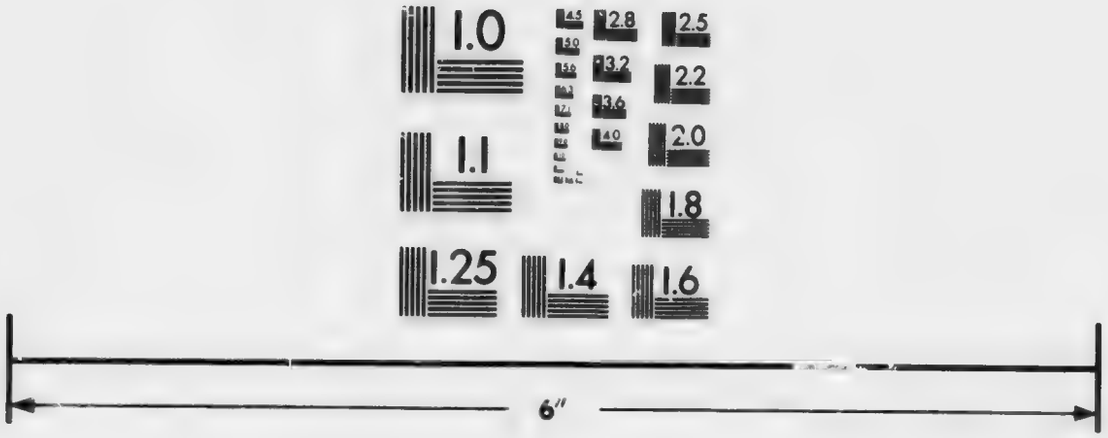
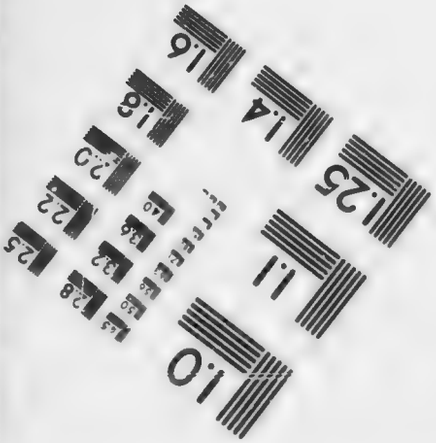
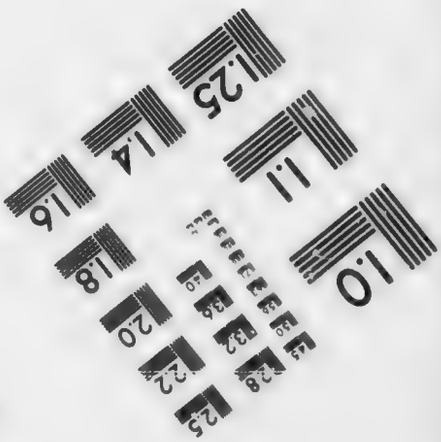


IMAGE EVALUATION TEST TARGET (MT-3)







Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.
See GIBRALTAR.
MALTA.

Live Stock. "See Cattle."

Logwood. "See Wood."

Maccaroni or Vermicelli,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.
See GIBRALTAR.
MALTA.

Madeiras and Western Islands.

Wines may be there laden;

1. Wines the Growth of the Madeiras and of the Azores, may be laden in those Islands for Exportation to any of the Plantations, Colonies, or Territories to His Majesty belonging, or in his Possession, in America. 15 Car. 2. c. 7. § 6.

also Oranges and Lemons.

2. Oranges and Lemons the Produce of the Azores or Madeiras, may be shipped in the said Islands for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports in any British-built Ship, registered and navigated according to Law. 57 Geo. 3. c. 89. § 1.

Malta and Gibraltar.

Malta in Europe.

1. The Island of Malta and its Dependencies shall be deemed and taken to be in Europe. 57 Geo. 3. c. 36. § 10.

Certain Articles may be exported direct to Malta or Gibraltar;

2. His Majesty's Subjects may ship, in any of His Majesty's Sugar Colonies or Plantations in America, any of the Articles enumerated in the following Schedule marked (A), being the Produce of any such Colony or Plantation,

Plantation, or any Article which may by Law be imported into the said Colonies, and export the same direct to Malta or the Dependencies thereof, or to Gibraltar, in such Ships, and under such the Regulations, Penalties, and Forfeitures herein-after mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

SCHEDULE (A.)

Sugar.	Pimento.
Coffee.	Indigo.
Cocoa.	Ginger.
Rum.	Fustic, or other Dying Wood.
Molasses.	

under the Conditions and Restrictions herein mentioned.

3. None of the said Articles shall be shipped except in British-built Ships navigated and registered according to Law, nor unless a Licence shall have been first taken out under the Hand and Seal of the Collector and Comptroller of the Customs at the Port at which they are so intended to be shipped, and of which Notice must be first given in Writing by the Master or the Shipper to the Collector and Comptroller of such Port, of such Intention; and that the Ship shall, when laden, proceed direct to Malta or the Dependencies thereof, or to Gibraltar; the Shipper shall then make Oath before the Collector and Comptroller of the Port, that it is his full Intention and Resolution to load such Ship with such Articles for Exportation direct to Malta or the Dependencies thereof, or to Gibraltar, and to no other Place; and the Master, together with the Shipper, shall thereupon enter into Bond in Treble the Value of such Goods, with Condition, that in case the Licence shall be granted such Ship shall proceed direct to Malta or the Dependencies thereof, or to Gibraltar, and that no Goods except such as shall be included in the Licence, and such as may now by Law be exported from the said Colonies or Plantations to Malta or the Dependencies thereof, or to Gibraltar, shall be taken on board; and also that before the Expiration of Two Years from the Date of such Licence, the same shall be given up to the Collector and Comptroller of the Customs at the Port where the said Articles were shipped, together with a Certificate, signed and sealed by the Governor or Deputy Governor of Malta or Gibraltar, or by the Principal Officer of the Customs there, certifying the Landing of the said Articles, toge-

ther with the Contents, Weight, or Quantity, and the Marks and Numbers of the Packages landed, and the Name of the Ship and Master thereof from which landed. 55 Geo. 3. c. 29. § 2. 57 Geo. 3. c. 4. § 1.

No other Articles to be taken on board.

4. In case any licensed Ship shall take on board in any of the said Colonies or Plantations, or on her Voyage from thence, any other Articles, such Articles shall be forfeited, and the Master and Shipper shall severally forfeit Double the Value, to be recovered in any Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any other Court of Record in any of His Majesty's Plantations in America; One Third Part to be for the Use of His Majesty, One Third Part to the Governor of the Colony, and the other Third Part to the Informer or Prosecutor. 55 Geo. 3. c. 29. § 3. 57 Geo. 3. c. 4. § 1.

Entry to be made.

5. Before any of the said Articles shall be put on board the Ship, the Person intending to export the same shall make an Entry thereof in Writing with the Collector and Comptroller of His Majesty's Customs, expressing the Name of the Ship and the Master, and where she lies, and also the Wharf where the Articles are to be first waterborne in order to be laden, which shall be within such Port only where a Custom-house is established, and where an Officer shall be appointed to attend the shipping thereof, or at such Place as shall be mentioned in a Sufferance or Warrant to be taken out from the Collector and Comptroller for that Purpose; and the Exporter shall take a Cocket or Warrant accordingly, whereon shall be indorsed the particular Weight and Quantity, with the Marks, Numbers, and Contents, and proper Denomination of such Articles, and deliver the Cocket or Warrant so indorsed to the Officer appointed for the examining and shipping thereof, and shall ship the said Articles in the Presence of such Officer, and at such Place as shall be mentioned in the Sufferance or Warrant. The proper Officer shall examine the same before they are put on board, and if, before or after shipping, the Weight or Quantity of Goods, or the Number of Packages, shall be found to be greater than is indorsed, or if any other Articles shall be discovered to have been put on board, or shall be brought to be shipped, or put into any Vessel in order to be put on board such Vessel, before Entry, or taking out such Cocket or Warrant, indorsing and delivering of the same, and not being shipped in

Cockets to be taken out.

Weight or Quantity greater than indorsed, or other Goods put on board.

in the Manner aforesaid, but shall be put or attempted to be put on board contrary to this Act, all such Articles shall be forfeited, and also the Boat or other Vessel or Carriage employed in shipping or attempting to ship any Goods other than those enumerated in the said Schedule, with the Vessel on which such Goods shall be so laden; and the Owner shall forfeit Double the Value thereof, to be recovered in any Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any other Court of Record there, One Third to the Use of His Majesty, One Third to the Governor, and the other Third to the Prosecutor; and before such Ship shall depart from the said Colonies with any of the said Articles, the Master shall receive the said Licence from the Collector or Comptroller, with a Certificate indorsed thereon, or affixed thereto, under their Hands and Seals of Office, who are to make Two Copies of such Entries, Indorsements, and Certificates, for which Entries, Cockets, Indorsements, and Certificates, or Copies, no more shall be taken by the said Officer than the legal and accustomed Fees; and the Master shall, before he receives the Licence, attest the said Copies under his Hand, which are to be left with the Collector and Comptroller, who are to transmit one of the said Copies of the Licence, Indorsements, and Certificates to the Commissioners of the Customs in England, and record, in a Book to be kept for that Purpose, the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted for the Exportation of the Articles, together with the Clearance; but in case any Articles shall be found on board, or carried by any such Ship to Malta or the Dependencies thereof, or to Gibraltar, which shall not be mentioned in the Licence, then the Licence shall become void; and such Ship, and also the Master and all others concerned, shall be subject to the same Penalties and Forfeitures as they would have been subject to in case this Act had not been made. 55 Geo. 3. c. 29. § 4. 57 Geo. 3. c. 4.

Licence to be indorsed, and Copies of the Indorsement, Licence, &c. to be sent to Commissioners of Customs.

If other Goods shipped, the Licence void.

6. Any such Ship, or any other Ship, being British-built, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the following Schedule, marked (B.), for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or Newfoundland, Bermuda, or any of His Majesty's

Certain Articles may be imported from Malta or Gibraltar.

Majesty's Colonies or Plantations in North America; and any such Articles may be landed in such Colony or Plantation, being first duly entered with the proper Officers of the Customs there; and the Articles (Wine excepted) shall, upon Importation into any of the said Colonies or Plantations, be subject to such Duties as Goods of the like Denomination or Description are subject to upon being imported from Great Britain, and no other Duties. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

SCHEDULE (B.) referred to.

Dry & Wet Fruit in Brandy & Sugar. } in Jars & Bottles.
Pickles in Ditto.
Olives.
Figs.
Raisins.
Currants.
Pistaccio Nuts.
Almonds.
Dates.
Capers.
Wine.
Brandy.
Oil of Olives.
Oil of Almonds.
Gum Arabic.
—— Mastic.
—— Myrrh.
—— Sicily.
—— Ammoniac.
Opium.
Manna.
Senna.
Cantharides.
Oris Root.
Rhubarb.
Mill Timber.
Box Wood.
Argol.
Vermilion.
Ochres.
Cinnabar.
Orange Buds and Peel.
Juniper Berries.
Punk.
Pumice Stone.
Emery Stone.
Whetstone.
Paintings and Prints.
Mosaic Works.
Medals.
Lava and Malta Stone for building.
Pezzolana.
Jalop.
Scamony.
Quicksilver.
Sarsaparilla.
Saffron.
Safflower.
Musk.
Incense.
Essence of Bergamot.
Do. of Citron.
Do. of Lemon.
Do. of Orange.
Do. of Lavender.
Do. of Roses.
Do. of Rosemary.
Marble, } Rough and
Alabaster, } Worked.
Brimstone.
Cork.
Aniseed.
Cumminseed.

Ostrich

Ostrich Feathers.
Honey.
Sponges.
Amber.
Coral.
Bullion.
Precious Stones.
Pearl.
Corn.
Grain.
Meal or Flour.
Beans.
Peas.
Lentils.
Rice.
Maccaroni or Vermicelli.
Cascasoo.
Parmesan Cheese.
Bologna and other Sausages.
Anchovies.
Caviar.
Botarga.

Duty upon Wine.

7. Any Wine, which in pursuance of this Act shall be imported or brought into any of His Majesty's Sugar Colonies or Plantations in America from Malta or the Dependencies thereof, or from Gibraltar, shall be liable to the Payment of such Duties, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations directly from Madeira. 55 Geo. 3. c. 29. § 6. 57 Geo. 3. c. 4. § 1.

How Bond may be discharged as to Goods exported from the Colonies to Malta or Gibraltar.

8. Upon such Licence being returned to the Collector and Comptroller of the Port where the Articles enumerated in Schedule (A.) were shipped, and an Account of the Lading being indorsed thereon or annexed thereto, and also upon such Certificate of the Governor or Deputy Governor or Principal Officer of the Customs being produced as aforesaid, and the several other Matters required by this Act being duly complied with within Two Years from the Date of such Licence, the Bond given before granting such Licence shall be discharged and delivered up, otherwise shall be forfeited, and may be prosecuted in the Manner directed by this Act. 55 Geo. 3. c. 29. § 7. 57 Geo. 3. c. 4. § 1.

Certain Articles may be exported to Malta or Gibraltar.

9. It shall be lawful to export from Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, direct to Malta or the Dependencies thereof, or to Gibraltar, any Articles of the Production or Manufacture of such Colony or Plantation, or any Articles which have been legally imported into such Colony or Plantation, in such Ships, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein-before mentioned as to Exportation from His Majesty's Sugar Colonies or Plantations in America. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4. § 1.

10. If

General Issue may be pleaded, and Treble Costs allowed to Defendants.

10. If any Person shall be prosecuted for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff shall become nonsuit, or forbear Prosecution, or discontinue his Action, or if a Verdict shall pass against him, the Defendant shall have Treble Costs, and have the like Remedy for the same as in Cases where Costs are by Law given to Defendants. 55 Geo. 3. c. 29. § 14. 57 Geo. 3. c. 4. § 1.

Granting false Certificates, and counterfeiting or altering Documents.

11. Any Person who shall grant a false Certificate, or counterfeit, erase, or alter any Licence, Oath, or Certificate, which shall be made or given pursuant to this Act, or shall knowingly or wittingly publish or make use thereof, shall forfeit £500, to be recovered and disposed of in the Manner directed by this Act; and such Licence, Oath, or Certificate, so falsified, counterfeited, erased, or altered, shall be invalid. 55 Geo. 3. c. 29. § 15. 57 Geo. 3. c. 4. § 1.

Man, Isle of.

Spirits not to be landed there.

1. No Spirits shall be shipped in any British Colony or Plantation in America, but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as are prescribed and mentioned in 12 Car. 2. c. 18. and 25 Car. 2. c. 7. with respect to the Goods in those Acts enumerated. 5 Geo. 3. c. 39. § 5.

See GOODS ENUMERATED.

Herrings may be exported from thence to the British Colonies;

2. Any of His Majesty's Subjects residing in the Isle of Man may export from thence to any of the British Colonies or Plantations in America, in British-built Ships navigated and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

as also Articles necessary for the Fisheries;

3. Any of His Majesty's Subjects residing in the Isle of Man may lade and transport directly from thence to any Part of America where the Fishery is carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks, Lines, Nettings, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the

said Fishery; such Provisions, &c. being the Product and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

upon the Conditions herein mentioned.

4. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector, or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, &c. that the same are the Product and Manufacture of Great Britain or Ireland, or the Isle of Man, as the Fact may be, and that the said Articles (except the Provisions), specifying the Quantities and Particulars of each Sort, are to be used in the Fishery, by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Purpose, (which Oath and Certificate is to be administered and granted without Fee or Reward); and on Failure of producing such Certificate, or if any such Tools or Implements are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited, in the same manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Manifests. See "Goods, No. 38." "Tobacco, No. 20."

Manufacturers. See "Aliens, No. 3."

Manna,
Marble, (Rough and Worked),

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See Gibraltar.
Malta.

Marta.

A Free Port.

One of the Free Ports in Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Meal or Flour. See "Corn and Grain."

Medals,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Molasses.

Not to be exported unless to some other British Plantation or to Great Britain or Ireland.

1. Of the Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo. 1. c. 18. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 9. 39 & 40 Geo. 3. c. 67. Art. 6.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great Britain or Ireland,

See ASHES, POT AND PEARL.

Exportation allowed to United States.

2. May be exported from the West India Islands to any Place within the United States of America, by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 3.

If Bond required on Exportation to British Colonies, similar

3. Where, on Exportation of Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate required to

to discharge such Bond,* a similar Bond shall be required on Exportation of such Goods to the United States, and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Ship that the Goods were there duly landed. 28 Geo. 3. c. 6. § 4.

Bond to be given on Exportation to the United States.

4. The Growth and Produce of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to Malta or the Dependencies thereof, or to Gibraltar, in such Ships, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

May be exported to Malta or Gibraltar.

See GIBRALTAR.

MALTA.

5. The Produce of any British Plantation in the West Indies, which shall have been legally imported into Bermuda in any British Ship, may be exported from thence to the United States, in the Description of Vessels and under the Regulations provided in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50.—57 Geo. 3. c. 28. § 1.

May be exported from Bermuda to United States.

See BERMUDA.

6. There shall be paid unto His Majesty, for every Gallon (Wine Measure) of Molasses and Syrups which shall be imported or brought (except as is herein-after mentioned) into any Colony or Plantation in America under the Dominion of His Majesty, One Penny. 6 Geo. 3. c. 52. § 4.

Duty on Importation into the British Colonies.

7. The Duty shall not be charged upon Molasses or Syrups imported into any British Colony on the Continent of America from Dominica, for which a Certificate is produced to the Collector or other Principal Officer of

Exemption as to Molasses imported from Dominica.

---

* *A Bond is so required upon the Exportation of Molasses. See No. 2.*

the

the Customs at the Port of Importation, under the Hand and Seal of the Collector or other Principal Officer of the Customs at the Port of Exportation in Dominica, certifying that the said Duty hath been there paid for such Molasses or Syrups. 6 Geo. 3. c. 25. § 5.

Collection and Appropriation of the Duties.

8. The Duty shall be deemed to be Sterling Money of Great Britain, and be received to the Amount of the Value which such nominial Sums bear in Great Britain, and according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and shall be levied, collected, paid, and recovered in the same Manner, by such Rules and Means, and under such Penalties and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into the said Colonies or Plantations may be levied, collected, paid, and recovered; and the Monies that shall arise by the said Duty (except the necessary Charges of collecting, levying, recovering, paying, and accounting for the same), shall be paid into the Exchequer, and entered apart from all other Monies, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

Mosaic Works,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See Gibraltar.
Malta.

Mules. See "Cattle."

Musk,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies

nies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Nassau.

1. One of the Free Ports in New Providence for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. A Free Port.

See FREE PORTS.

2. Until 25th March 1819, any Ship belonging to the United States coming in Ballast, and not otherwise, may enter the Port of Nassau for the Purpose of being laden with Salt, subject to the Rules, Provisions, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turks Islands. 57 Geo. 3. c. 42. § 1. American Ships may be there laden with Salt.

See BAHAMA ISLANDS

Naturalization. See "Aliens."

Naval Officers.

1. No Ship coming to any Plantation, Colony, or Territory to His Majesty belonging, or in His Possession, in America, shall lade or unlade any Goods until the Master shall have first made known to the Governor, or such Officer as shall be by him appointed, the Arrival of the Ship, with her Name, and the Name of the Master, and shall have shewn that she is British-built, and registered and navigated according to Law, and have delivered to such Governor or Officer a true Inventory or Invoice of her Lading, with the Places in which the Goods were laden, on Forfeiture of the Ship, and all Goods the Manufacture of Europe as were not laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 3 & 4 Ann. c. 6. § 2. 7 & 8 W. 3. c. 22. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. Art. 6. Ships not to lade or unlade until Arrival made known to the Governor or Naval Officer, and Invoice delivered.

2. Within Two Months, or as soon as convenient after their Entrance upon their Offices, Naval Officers are to give sufficient Security to the Commissioners of the Customs, for His Majesty's Use, for the faithful Performance To give Security to the Commissioners of the Customs, otherwise Governors to be answerable.

of their Duty, and in default thereof, shall be disabled to execute the Office; and until such Security is given, and the Person appointed to the Office be approved by the Commissioners, the Governor shall be answerable for any the Offences, Neglects, or Misdemeanors of the Person by him appointed. 7 & 8 W. 3. c. 22. § 5.

To what Fees entitled.

3. In the British Colonies shall be entitled to such Fees as their Predecessors had been generally and usually accustomed to receive, before the 29th September 1764, and shall have the like Remedy for recovering the same as has been heretofore allowed to any Collector, or other Officer of the Customs; and if any Naval Officer shall require or receive any greater or other Fees than are allowed by this Act, he shall forfeit for the First Offence £50, and for the Second Offence shall forfeit his Office, and be for ever incapable of executing any Office or Employment in the Customs or Navy. 10 Geo. 3. c. 37. § 2.

Navigation of British Ships.

During War Trading Vessels may be manned with Foreign Mariners who have served Two Years on board British Ships, and such Mariners to be deemed natural-born Subjects.

1. His Majesty may at all Times, when it shall be found necessary to declare War against any Foreign Power, publish a Proclamation, to permit all Merchant Ships and other Trading Vessels and Privateers, to be manned with Foreign Mariners and Seamen during such War; and upon the publishing such Proclamation, every such Foreign Mariner or Seaman, who shall have faithfully served during the Time of War on board any of His Majesty's Ships of War, or any Merchant or other Trading Ship or Vessel, or Privateer (which at the Time of such Service shall belong to any of His Majesty's Subjects of Great Britain), for the Space of Two Years, shall be deemed to be a natural-born Subject of Great Britain, and enjoy all the Privileges, Powers, Rights, and Capacities which he could have enjoyed in case he had been a natural-born Subject of His Majesty, and actually a Native within Great Britain. 13 Geo. 2. c. 3. § 2. 4.

Not to be enabled to be of the Privy Council, &c.

2. No Person who shall be naturalized by this Act, shall be enabled to be of the Privy Council, a Member of either House of Parliament, or to take any Office or Place of Trust, either Civil or Military, or have any Grant of Lands, Tenements, or Hereditaments from the Crown to himself, or any other Person in Trust for him. 13 Geo. 2. c. 3. § 3.

Ships required to be registered must be navigated by a Master and Three-fourths British Subjects.

3. No Ship registered or required to be registered as a British Ship in any of the Ports of Great Britain, Guernsey, Jersey, or of the Isle of Man, or of any of the Colonies, Plantations, Islands, or Territories belonging to His Majesty, shall be navigated but by a Master and Three-fourths at least of the Mariners British Subjects, except as is herein-after provided. 34 Geo. 3. c. 68. § 3. 42 Geo. 3. c. 61. § 3.

The Mariners must be British during the whole Voyage except in certain Cases.

4. Where it is required that the Master and the Whole or any Proportion of the Mariners of any Ship, shall be British Subjects, the Intent and Meaning is, that the Master and the Whole or such Proportions shall be British Subjects during the whole Voyage, unless in case of Sickness, Death, Desertion, or of the Whole or Part of the Crew being taken Prisoners in the Voyage; and in such Case the Master of such Ship shall specify the same in his Report; but nothing in this Act shall alter or in anywise affect any Regulation for the Navigation or Manning of Ships employed in any of the Fisheries carried on from this Kingdom, or any Part of His Majesty's Dominions, for which any special Provision has been made before the Commencement of this Act. 34 Geo. 3. c. 68. § 5. 42 Geo. 3. c. 61. § 5.

What Persons deemed qualified to be the Master of a British Ship or British Seaman or Mariner.

5. No Person shall be deemed qualified to be the Master of a British or Irish Ship, or to be a British or Irish Seaman or Mariner within the Meaning of this or any other Act now in force, except the natural-born Subjects of His Majesty, or Persons naturalized by virtue of any Act of Parliament, or made Denizens by Letters of Denization, or except Persons who have become His Majesty's Subjects by virtue of the Conquest or Cession of some newly-acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly-acquired Country came into His Majesty's Possession, except as is herein-after provided. 34 Geo. 3. c. 68. § 6. 42 Geo. 3. c. 61. § 7.

Foreign Sailors or Mariners serving Three Years on board Ships of War deemed British under certain Conditions.

6. Every Foreign Sailor, Seaman, or Mariner, who shall have served or who shall serve on board any of His Majesty's Ships of War in Time of War, during the Space of Three Years, either in one and the same Ship, or in different Ships, and who shall have obtained a Certificate from the Captain or Captains of such Ships on board of which he shall have so served; or in case of the Death of any such Captain, then upon the Certificate of the Officer

then living who shall have been next in Rank to such Captain, testifying that he has so served, and his faithful Service and good Behaviour during the Time of such Service; and who shall have also taken the Oath of Allegiance to His Majesty before some Justice of the Peace, or principal Magistrate of some City or Town of His Majesty's Dominions, or before the Principal Officer of His Majesty's Customs in any Port of His Majesty's Dominions, and who shall obtain a Certificate from such Justice of the Peace, principal Magistrate, or Chief Officer, of his having taken such Oath, (which Certificate they are thereby authorized and required to give, upon Payment of 1s.) shall be entitled to be employed as a Master of a British Ship, or as a British Seaman or Mariner on board any British Ship, within the Meaning of any of the Laws now in force; provided that no such Foreigner shall be entitled to become the Master of any British or Irish Ship, or to be employed as a British or Irish Seaman or Mariner, unless he shall have delivered the before-mentioned Certificate of the Time he shall have served, and of his faithful Service and good Behaviour, and the before-mentioned Certificate of his so having taken the Oath of Allegiance, to the Collector or other chief Officer of the Customs in the Port of London, Chatham, Portsmouth, or Plymouth, or to the Collector or chief Officer of the Customs in the Port of Dublin, or in the Ports of Cork, Galway, or Londonderry. 34 Geo. 3. c. 68. § 7. 42 Geo. 3. c. 61. § 8.

Persons taking Oath of Allegiance to a Foreign State not to be deemed British Subjects, unless such Oath was taken before their Qualification, except in certain Cases.

7. No Person qualified to be the Master of a British or Irish Ship, or to be a British or Irish Seaman or Mariner, by Birth, Naturalization, Denization, Conquest, or Service, in Manner before mentioned, and who shall take any Oath of Allegiance to any Foreign Sovereign or State for any Purpose, except under the Terms of some Capitulation upon the Conquest of any of the Dominions of His Majesty by the Enemy, for the Purpose of obtaining the Benefit of such Capitulation only, shall be deemed qualified to be the Master of a British Ship, or a British Seaman or Mariner within the Meaning of any of the Laws of Navigation, unless such Person shall have taken such Oath of Allegiance before he became so qualified; and any Person who shall, after having become disqualified by taking such Oath of Allegiance, take the Command of any British Ship, shall for every such Offence forfeit £100; and every Person who shall, after having become

become so disqualified, engage to serve as a British Seaman or Mariner on board any such Ship, shall forfeit £10; such Forfeitures to be recovered upon Conviction before a Justice of the Peace, if such Offence shall be committed in Great Britain; and before any Member of the Supreme Court of Justice, or any Justice of the Peace, if such Offence shall be committed in the Islands of Guernsey, Jersey, or Man, or in any Colony, Plantation, or Territory to His Majesty belonging in America; but no Ship on board whereof any Person so disqualified shall be employed as Master, shall be forfeited by reason thereof, if the Owners shall shew that such Disqualification of such Master was unknown to them or to their Agent, and that such Disqualification of such Seaman or Mariner was unknown to such Owners respectively, or to their Agents, and to the Master of such Ship, at the Time of engaging such Person so disqualified; and in the Navigation on the Seas of America and the West Indies, from any Port of America and the West Indies to any Port of America and the West Indies, any Negroes belonging to any Persons having become His Majesty's Subjects in Manner aforesaid, and with the Qualifications aforesaid, and in the Seas to the Eastward of the Cape of Good Hope from any Port to the Eastward of the Cape of Good Hope to any other Port to the Eastward of the Cape of Good Hope, Lascars and other Natives of any of the Countries to the Eastward of the Cape of Good Hope, may be employed as British Seamen or Mariners in manner heretofore practised. 34 Geo. 3. c. 68. § 8. 42 Geo. 3. c. 61. § 9.

Ships not forfeited if Disqualification unknown to Owners and Masters respectively.

Negroes and Lascars may be employed in the Navigation of the Seas of America, &c.

8. But nothing in this Act shall extend to take away or restrain the Effect of any Proclamation His Majesty, His Heirs or Successors, are empowered to make by virtue of 13 Geo. 3. c. 2. (see No. 1.) — 34 Geo. 3. c. 68. § 9. 42 Geo. 3. c. 61. § 12.

Proclamation under 13 G. 3. c. 2.

9. If any Goods shall be imported or exported contrary to the Provisions of this Act, such Goods, and also the Ship in which the same shall be imported or exported, shall be forfeited; and if any Ship shall sail in Ballast, or being required to be manned and navigated with a Master and a certain Proportion of British Mariners, in manner herein-before directed, shall not be manned and navigated according to the Provisions of this Act, such Ship and all the Goods on board shall be forfeited. 34 Geo. 3. c. 68. § 10. 42 Geo. 3. c. 61. § 13.

Forfeiture if Goods are imported or exported contrary to this Act, or if Ships not manned as required.

By whom Goods and Ships may be seized.

10. The Goods and Ships forfeited by this Act shall be seized by the Commander of any of His Majesty's Ships of War, or any Commissioned, Warrant, or Petty Officer specially appointed by him, or by any Officer of His Majesty's Customs. 34 Geo. 3. c. 68. § 11. 42 Geo. 3. c. 61. § 14.

Ships found at Sea, having a greater Number of Foreign Mariners than allowed.

11. In case any British or Irish Ship shall be found at Sea, having on board a greater Number of Foreign Mariners than are allowed by Law, and the Master of such Ship shall produce a Certificate of the Necessity of engaging such Foreign Mariners in some Foreign Port, by occasion of the Sickness, Death, or Desertion of the like Number of British Mariners, or of the same having been taken Prisoners during his Voyage, and that British Mariners could not be engaged at such Foreign Port to supply their Room, and that for the Navigation of such Ship it became necessary to engage and employ such Foreign Mariners, under the Hand of His Majesty's Consul at the Foreign Port where the said Foreign Mariners were so engaged, or if there is not any such Consul there, under the Hands of Two known British Merchants at such Foreign Port; it shall not be lawful for any of the Persons authorized by this Act to make Seizures of Ships navigated contrary to the Directions thereof, to detain any such Ship, or to hinder her from proceeding on her Voyage, but such Persons are hereby required to indorse the Certificate so produced, testifying the Production thereof, and when and where met with at Sea, and that the Number of Foreign Mariners correspond with the Certificate of such British Consul, or such known British Merchants, for the Consideration and Investigation of the Commissioners of the Customs. 34 Geo. 3. c. 68. § 12. 42 Geo. 3. c. 61. § 15.

Asiatic Sailors, although born in the Territories under His Majesty or the East India Company, not deemed British.

12. No Asiatic Sailor, Lascar, or Native of any of the Territories, Countries, or Places within the Limits of the Charter of the East India Company, although born in Territories, Countries, or Places under the Government of His Majesty, or of the East India Company, shall at any Time be deemed to be a British Sailor, Seaman, or Mariner, within the Meaning of 34 Geo. 3. c. 68. or of any other Act relating to the Navigation of British Ships by Subjects of His Majesty, for the Purpose of entitling any Ship to be deemed to be a British Ship, navigated according to Law, and to have the Privileges and Advantages of a British Ship having the Master and Three Fourths of the Mariners British

British Subjects; but no Ship belonging to any Port within the Limits of the Charter of the said Company, or usually navigated by such Asiatic Sailors, Lascars, or Natives, as Mariners, shall, while carrying on Trade to and from India to the United Kingdom, forfeit any Privileges or Advantages of a British-built Ship, to which she may be by Law entitled, by reason of having any Proportion of such Mariners without the due Proportion of British Mariners, until the Expiration of Twelve Months of continued Peace after the Conclusion of the present War; and His Majesty by Proclamation, upon or after the Commencement of any Hostilities may permit Merchant Ships, or any other Trading Vessels, and Privateers, to be manned wholly, or in any such Proportions as shall be specified in any such Proclamation, with such Asiatic Sailors, Lascars, or Natives, during such Periods as shall be specified in such Proclamation. *55* Geo. 3. c. 116. § 6.

East India Ships manned with Lascars to be deemed legally navigated if there are Seven British Seamen for every 100 Tons.

13. Every such Ship duly registered, and carrying on Trade to and from India and the United Kingdom, and manned in part with Lascars or Natives of India, and which shall be commanded by a British Master, and navigated by Seven British Seamen, as Part of the Crew, for every 100 Tons of her registered Burthen, and so in proportion for any Part of a 100 Tons, shall be deemed to be navigated according to Law, as to the Crew of such Ship, although the Number of such British Seamen shall not be equal to the Proportion of Three Fourths of the whole Crew. *55* Geo. 3. c. 116. § 7.

If a sufficient Number of British Seamen cannot be procured, Licence may be granted to sail with a less Proportion.

14. Any of the Governments of the East India Company in India, or any Governor or Lieutenant Governor of any Colony, Territory, or Island belonging to His Majesty within the Limits of the Charter, are required, on Application made by the Owner or Commander of any Ship, and after having ascertained by due Inquiry that a sufficient Number of British Seamen cannot be procured for the Crew of any Ship sailing from India, within Ten Days from such Application, to certify the same, and license such Ship to sail with a less Proportion of British Seamen than required by Law; and every Ship having on board such Licence, shall be deemed to be navigated according to Law, notwithstanding such Deficiency of British Seamen, until her Arrival at the Port of Destination in the United Kingdom; but shall, on the Voyage back from the United Kingdom, have the full

and proper Proportion of Seven British Seamen to every 100 Tons. 55 Geo. 3. c. 116. § 8.

Exception as to Ships trading within certain Limits.

15. But not to require any Number of British Seamen to be on board as Part of the Crew or Mariners of any Ship employed in Trade only between Ports and Places within the Limits of the Charter of the Company, including the Cape of Good Hope, or to prevent any such Ship, while so employed, being manned and navigated wholly, or in any Proportion as to Asiatic Sailors, or Lascars, or Natives of any Territories, Countries, or Places within the Limits of the said Company. 55 Geo. 3. c. 116. § 9.

Netherlands.

Supplies for Estates in Guiana may be imported from the Netherlands.

The Subjects of the King of the Netherlands, being Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, may import into the said Colonies, from the Netherlands, the necessary Articles of Supply for their Estates, and export to the Netherlands the Produce of their Estates, in Foreign Ships. 56 Geo. 3. c. 91.

See GUIANA.

Newfoundland.

Certain Parts of the Coast of Labrador annexed to the Government of Newfoundland.

1. Such Parts of the Coast of Labrador from the River Saint John to Hudson's Straits and the Island of Anticosti, and all other smaller Islands annexed to the Government of Newfoundland by Proclamation of the 7th Day of October 1763, (except the said Islands of Madelaine), but afterwards made Part of Canada by the 14 Geo. 3. c. 83. shall be separated from the Government of Canada, and be annexed to the Government of Newfoundland. 49 Geo. 3. c. 27. § 14.

His Majesty's Subjects to have a Free Trade to and from Newfoundland, and Liberty of Fishing.

2. All His Majesty's Subjects residing within Great Britain or Ireland, or the Dominions thereunto belonging, trading to Newfoundland, and the Seas, Rivers, Lakes, Creeks, Harbours, in or about Newfoundland, or any of the Islands adjoining or adjacent thereunto, shall have, use, and enjoy the Free Trade and Traffic, and Art of Merchandize and Fishery, to and from Newfoundland, and peaceably use and enjoy the Freedom of taking Bait and fishing in any of the Rivers, Lakes, Creeks, Harbours, or Roads in or about Newfoundland and the

said

said Seas, or any of the Islands adjacent thereunto, and Liberty to go on Shore on any Part of Newfoundland, or any of the said Islands, for the curing, salting, drying, and husbanding of their Fish, and for making of Oil, and to cut down Wood and Trees there for building and making or repairing of Stages, Ship-rooms, Train-fats, Hurdles, Ships' Boats, and other Necessaries for themselves, and their Servants, Seamen, and Fishermen, and all other Things which may be useful or advantageous to their Fishing Trade, as fully and freely as at any Time heretofore hath been used or enjoyed there by any of the Subjects of His Majesty, without any Hindrance, Interruption, or Disturbance from any Person; and no Alien or Stranger, not residing within Great Britain or Ireland, shall at any Time hereafter take any Bait or use any Sort of Trade or Fishing in Newfoundland, or in any of the Islands or Places before mentioned. 10 & 11 W. 3. c. 25. § 1. 51 Geo. 3. c. 45. § 2.

How By-boats and Fishing Vessels to be manned;

3. Every Master of a By-boat shall carry with him at least Two fresh Men in Six; viz. One Man that hath made no more than One Voyage, and one Man that hath never been at Sea before; and every Inhabitant shall be obliged to employ two such fresh Men, as the By-boat Keepers are obliged for every Boat kept by them; and all Masters of Fishing Ships shall carry with them, in their Ships' Company, at least One fresh Man never at Sea before, in every Five Men they carry; and the Master of each By-boat and each Fishing Ship shall make Oath before the Collector or other principal Officer of the Customs of the Port from whence such Ship intends to sail, that each Ship and By-boat's Company have such fresh Men therein as this Act directs; and the said Officer is required to administer the said Oath, and give a Certificate thereof under his Hand, without Fee or Reward. 10 & 11 W. 3. c. 25. § 9.

also Fishing Ships going to Newfoundland.

4. Every Master and Owner of any Fishing Ship going to Newfoundland, shall have, in his Ship's Company, every Fifth Man a Green Man, (that is to say) not a Seaman, or having been ever at Sea before. 10 & 11 W. 3. c. 25. § 10.

Vacant Spaces may be used for the Purpose of curing Fish.

5. The Master and Crews belonging to any Ships fitted out and employed in the Fishery, in pursuance of any Act, may occupy and use, for the Purpose of curing, salting, drying, and husbanding their Fish, any vacant or void

void Space on any Part of Newfoundland which is not then occupied and used for the said Fishery, without any Disturbance or Hindrance from any Person, although such unoccupied Places may not before have been reputed "Ships' Rooms," and all such unoccupied Places shall from henceforth be deemed Ships' Rooms. 15 Geo. 3. c. 31. § 2.

By whom the Privilege to be enjoyed.

6. The Privilege of drying Fish on the Island of Newfoundland shall not be enjoyed by any of His Majesty's Subjects arriving at Newfoundland from any other Country, except Great Britain or Ireland, or one of the British Dominions in Europe. 15 Geo. 3. c. 31. § 4. 29 Geo. 3. c. 53. § 1.

Places which are no longer to be deemed Ships' Rooms.

7. The following Ships' Rooms, situated in the Town of Saint John's, (that is to say), the Ship's Room No. 1. Rotten Row, or Pye Corner; Ship's Room No. 2; Darkus's Ships' Rooms, No. 2.; Lady's Ships' Rooms, No. 2.; Gallow's Hill Ship's Room, No. 3.; Breakheart Hill Ship's Room, No. 3.; Churchill Ship's Room, No. 4; Hudson's Ship's Room, No. 5.; Admiral Ship's Room, No. 6.; as the same are laid down, distinguished and named in a Plan of the Town and Harbour of Saint John's, dated October 1804, and deposited in the Government House there, shall no longer be deemed to be Ships' Rooms, and occupied during the Fishing Season as such, but the same may be granted, let, and possessed as private Property, as any other Portion of Land in Newfoundland may be. 51 Geo. 3. c. 45. § 1.

Certain Vessels exempt from Entry at the Custom House.

8. All Ships fitted and cleared out as Fishing Ships in pursuance of this Act, or of 10 & 11 W. 3. c. 25. which shall be actually employed in the Fishery, or any Boat or Craft employed in carrying Coastwise, to be landed or put on board any Ships, any Fish, Oil, Salt, Provisions, or other Necessaries for the Use of the Fishery, shall not be liable to any Restraint or Regulation with respect to Days or Hours of Working, nor to make any Entry at the Custom-house at Newfoundland, except a Report to be made by the Master on his first Arrival there, and at his Clearing out from thence; and a Fee not exceeding 2s. 6d. may be taken by the Officers of the Customs at Newfoundland for each Report; and no other Fee shall be taken by any Officer of the Customs there relative to the Fishery. 15 Geo. 3. c. 31. § 7.

9. In

9. In case any such Fishing Ships shall, at her last clearing out from Newfoundland, have on board or export any Goods except Fish, or Oil made of Fish, such Ship and the Goods thereon laden shall be liable to the same Securities, Restrictions, and Regulations in all Respects as if this Act had not been made. 15 Geo. 3. c. 31. § 8.

But Ships exporting other Goods than Fish or Oil, subject to Entry.

10. No Master of any Ship trading to or from Newfoundland shall carry as Passengers any Fishermen, Sailors, Artificers, or others employed in carrying on the Fishery, from the Island to any Part of the Continent of America, without the Permission under the Hand and Seal of the Governor, under the Penalty of £200. 15 Geo. 3. c. 31. § 12.

Persons employed in the Fishery not to be conveyed to Continent of America without Governor's Permission.

11. No Person residing in or carrying on the Fishery in Newfoundland shall sell or exchange any Ship, Vessel, or Boat, or any Tackle, Apparel, or Furniture which may be used by any Ship, Vessel, or Boat, or any Seans, Nets, or other Implements or Utensils for catching or curing Fish, or any Bait or Fish Oil, Blubber, Seal Skins, Peltry, Fuel, Wood, or Timber, to or with any Person except His Majesty's Subjects. 26 Geo. 3. c. 26. § 14.

Utensils, Bait, and other Articles not to be sold to Foreigners.

12. Persons concerned in selling, &c. such Articles to the Subjects of any Foreign State may be arrested by Warrant of the Governor or his Surrogates, or any Justice of the Peace, and committed to Prison, on Oath of One or more credible Witness, and on Conviction shall forfeit the Value of the Articles. 26 Geo. 3. c. 26. § 15.

Penalty on Persons concerned therein.

13. Any Person residing in or carrying on the Fishery in Newfoundland, who shall there purchase or take in Exchange or by way of Barter any Goods from the Subject of any Foreign State, or assist in so doing, may be apprehended and committed to Prison, and shall forfeit Double the Value of the Goods. 26 Geo. 3. c. 26. § 16.

Goods not to be purchased of Foreigners.

14. All Penalties imposed by any Act made or to be made relating to the Island of Newfoundland or the Fishery thereof, may be recovered in a summary way in the Supreme Court, or in any Surrogate Court; and those of £10, or under, may be recovered in the Court of Session, or before any one or more Justices of the Peace. All Money arising from such Penalties and Forfeitures shall be applied towards defraying the Expences of carrying the Act into Execution. 49 Geo. 3. c. 27. § 16.

How Penalties to be recovered and applied.

15. Vessels

Certain Vessels not required to be registered.

15. Vessels not exceeding 30 Tons, and not having a Deck, employed solely in the Fishery on the Banks or Shores of Newfoundland, or in trading Coastwise there, are not required to be registered. 27 Geo. 3. c. 19. § 8.

See Registry of British Ships.

Vessels built for European Owner, the Husband or Agent may take Register Oath.

16. Ships and Vessels built in Newfoundland on account of Owners who reside in His Majesty's European Dominions, may be registered, upon the Husband or Agent's taking the Oath required by the Register Acts. 27 Geo. 3. c. 19. § 9.

See Registry of British Ships.

From what Parts of Europe, Salt and Wine may be imported;

17. It shall be lawful to lade in British-built Ships, owned, navigated, and registered according to Law, in any Part of Europe, Salt for the Fisheries of Newfoundland; and to lade in the Madeiras and Azores, Wines of the Growth thereof, and export the same to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 6. 4 Geo. 3. c. 15. § 31.

Oranges and Lemons from the Azores or Madeiras.

18. Oranges and Lemons of the Azores or Madeiras may be laden at the said Islands for Exportation direct to any of the British Colonies in North America, in British Ships, navigated and registered according to Law. 57 Geo. 3. c. 89.

Goods necessary for the Fishery from Guernsey or Jersey.

19. Any Inhabitant of Jersey or Guernsey may transport direct from thence to Newfoundland, or any of the British Colonies in America where the Fishery is carried on, in any Ships which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use of Mariners or other Persons employed on board the Ships or on Shore in carrying on the said Fishery; such Craft, &c. being the Produce or Manufacture of Great Britain or the said Islands, and such Food or Victuals being the Growth or Produce of Great Britain, Ireland, or the said Islands. 9 Geo. 3. c. 28. § 1.

Shipper to make Oath that they are the Produce of Great Britain or the Islands.

20. The Master of the Ship shall produce to the Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Deputy Governor, or Commander in Chief, that Oath had been made by the Shipper before the Magistrates of the Royal Courts in the said Islands respectively, that the Goods are the Produce or Manufacture aforesaid; such Certificate to be attested by the Officer of the Customs, who shall certify that the said Oath was taken in his Presence; on Failure of producing

such Certificate the Goods and Ship shall be forfeited. 9 Geo. 3. c. 28. § 2.

Herrings from the Isle of Man;

21. Any of His Majesty's Subjects residing in the Isle of Man may export from thence, and import into any of the British Colonies, in British Ships manned and navigated according to Law, Herrings caught and cured by them, in the same Manner as Victuals of and from Ireland may be imported into the said Colonies by 15 Car. 2. c. 7. 12 Geo. 3. c. 58. § 4.

also Provisions and Tools and Implements for the Fishery.

22. Any of His Majesty's Subjects residing in the Isle of Man may ship there and transport directly to Newfoundland, or any Part of America where the Fishery is carried on, on board any Ship which may lawfully trade or fish there, any Provisions, and also any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the said Fishery; such Provisions, &c. being the Produce or Manufacture of Great Britain or Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

Shipper to make oath as to the Manufacture of the Tools, &c. and that they are to be used in the Fishery.

23. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, &c. that the same are of the Product or Manufacture of Great Britain or Ireland, or the Isle of Man, as the Fact may be; and that the several Articles before mentioned (except the Provisions) specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Use or Purpose; and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the same, and the Ship having the Articles on board, shall be seized and forfeited as if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Fruit, Wine, Oil, Salt, and Cork from Ports of Europe South of Cape Finisterre.

24. Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be laden in any Port of Europe for Exportation direct to Saint John's in Newfoundland, on board any British Ship owned, navigated, and registered according to Law, which shall have arrived at any such Port of Europe with Articles

the

the Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the British Colonies in North America, or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

See CORK.
FRUIT.
OIL.
SALT.
WINE.

Other Articles from Malta or Gibraltar.

25. Certain Articles enumerated in the Schedule annexed to this Act marked (B.) may be imported into Newfoundland from Malta, or any of the Dependencies thereof, or from Gibraltar, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Duty upon Spirits.

26. There shall be paid upon Spirits imported into Newfoundland the following Duties; that is to say,

For every Gallon of Rum or other Spirits imported from any British Colony or Plantation in the West Indies, Sixpence:

For every Gallon of Rum imported from Berbice, Demerara, or Essequibo, Sixpence:

For every Gallon of Rum or other Spirits imported from any other of His Majesty's Colonies or Plantations on the Continent of America, or from Great Britain or Ireland, One Shilling and Sixpence. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

Recovery and Appropriation of Duties.

27. The said Duties shall be paid to the Amount of the Value of which such nominal Sums bear in Great Britain, and may be received according to the Proportion and Value of 5s. 6d. the Ounce in Silver; and shall be recovered in the same Manner, and by such Rules, and under such Penalties and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America: and all the Monies that shall arise by the said Duties, (except the necessary Charges of raising, paying, and accounting for the same) shall be paid into the Exchequer. 15 Geo. 3. c. 31. § 20. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

The Duties, and the Officers of the Customs to

28. The Duties upon Goods brought or imported into or exported or carried from Newfoundland by virtue of these or any other Acts of Parliament, and the Officers of the

the Customs appointed for executing and carrying into Execution the several Laws relating to the Trade and Revenue there, shall be under the Management and Direction of the Commissioners of the Customs in England, under the Authority and Direction of the Commissioners of the Treasury. 15 Geo. 3. c. 31. § 35. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

be under the Management of the Commissioners.

29. If any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of these Acts, the Defendant may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance thereof; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. 15 Geo. 3. c. 31. § 36. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

General Issue may be pleaded, and Treble Costs allowed.

30. Spirits, the Produce of His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Newfoundland from the said Colonies, or from Bermuda, may be exported from Newfoundland to the Province of Lower Canada, and admitted to Entry, on Payment of the same Duty as if imported direct from His Majesty's Sugar Colonies. 51 Geo. 3. c. 18. § 1.

See SPIRITS.

Spirits may be exported to Lower Canada on the same Duty as from Sugar Colonies.

31. Spirits, the Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Bermuda from the said Sugar Colonies, may be exported from Bermuda to Newfoundland, and landed and admitted to Entry upon Payment of the same Duty as if imported directly from any of the said Sugar Colonies; and under the Conditions and Restrictions contained in 28 Geo. 3. c. 39. may be imported without Payment of Duty, in the same Manner as if such Spirits had been imported into Newfoundland directly from the said Sugar Colonies. 51 Geo. 3. c. 62. § 1, 2.

See SPIRITS.

May be imported from Bermuda on the same Conditions as from Sugar Colonies.

32. No Goods shall be imported from any of the Territories belonging to the United States of America into Newfoundland, or into any Country or Land within the Government thereof, on Forfeiture of the Goods and the Ship. 28 Geo. 3. c. 6. § 12.

No Goods to be imported from the United States:

33. But

except Bread, &c. for the Supply of Inhabitants and Fishermen.

33. But His Majesty in Council, by any Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, from any of the Territories belonging to the said United States, for the Supply of the Inhabitants and Fishermen of Newfoundland for the then ensuing Season only; provided such Bread, Flour, Indian Corn, and Live Stock, is imported in conformity to such Rules, Regulations, and Restrictions, as shall be specified in such Order or Warrant, and by British Subjects and in British-built Ships, owned and navigated according to Law, under the Forfeiture mentioned in (No. 32.) 28 Geo. 3. c. 6. § 13.

By whom Ships and Goods may be seized.

34. Goods and Ships forfeited by this Act shall be seized by the Commanders of any of His Majesty's Ships of War, or any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. § 16.

Certain Articles may be exported to Malta or Gibraltar.

35. Articles, the Production or Manufacture of Newfoundland, or which may have been legally imported into the Island, may be exported from thence direct to Malta, or any of the Dependencies thereof, or to Gibraltar, under certain Regulations. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 55.

See Gibraltar.
Malta.

Oath to be made by the Shipper of Oil or Blubber that it is the Produce of Fish caught by His Majesty's Subjects.

36. Before any Blubber and Train Oil imported into Great Britain, as being taken and caught on the Banks and Shores of Newfoundland and Parts adjacent, wholly by His Majesty's Subjects carrying on the Fishery from that Island, shall be admitted to Entry on Payment of the Duty payable on such Oil, the Master shall deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of Newfoundland, or of the Collector or other Chief Officer of the Customs of the Port or Place in Newfoundland where the Oil or Blubber shall have been taken on board; or if no such Officer or Governor or Deputy Governor shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer or other principal Officer of the said Port or Place, or of one of His Majesty's Justices of the Peace for the District, testifying that Oath had been made before him (who is required to administer such Oath,

Oath, and to grant such Certificate) by the Shipper of such Blubber or Oil, that the same was really and bonâ fide the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty's Subjects carrying on such Fishery, and usually residing in the Island of Newfoundland, or in His Majesty's European Dominions; and the Master of the Ship in which the Blubber or Oil shall be imported, shall make Oath before such Collector or other Chief Officer at the Port of Importation, that the Blubber or Oil so imported is the same as mentioned and referred to in the said Certificate; and the Importer or Consignee of such Blubber or Oil shall also make Oath before the Collector or Comptroller, or other proper Officer of the Customs, at the Time of Entry, that, to the best of his Knowledge and Belief, the Blubber and Oil so imported was actually caught and taken by British Subjects usually residing in Newfoundland, or in His Majesty's European Dominions; and on Failure of such Certificate being produced, and Proof on Oath being made, such Blubber and Oil shall be deemed to be of Foreign Fishing, and charged with Duty accordingly. 55 Geo. 3. c. 135.

Proof of Identity on Importation into Great Britain or Ireland.

37. Any of His Majesty's Subjects may export, in any British-built Ship, owned and navigated according to Law, from Newfoundland to any of the Islands in the West Indies belonging to His Majesty, or to any of the British Colonies on the Continent of America, and from the Islands in the West Indies belonging to His Majesty, or from any one of the British Colonies on the Continent of America, into Newfoundland, any Goods the Manufacture of Europe, and any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies, under the Regulations and Restrictions contained in 45 Geo. 3. c. 57.—57 Geo. 3. c. 29.

Goods which may be exported to West India Islands and Colonies on the Continent, and imported from thence.

See Free Ports.

38. Whereas a Convention between His Majesty and the United States of America, was signed at London, on the 20th October 1818; and by the First Article of the said Convention it is agreed, that the Inhabitants of the said United States shall have for ever, in common with the Subjects of His Britannic Majesty, the Liberty to take Fish of every Kind on that Part of the Southern Coast of Newfoundland which extends from Cape Ray to the Rameau Islands, on the Western and Northern Coasts of Newfoundland from the said Cape Ray to the Quirpon Islands, on the Shores of the Magdalen Islands, and also on the Coasts, Bays, Harbours, and

Convention dated 20th Oct. 1818.

Creeks from Mount Joly on the Southern Coasts of Labrador, to and through the Straits of Belleisle, and thence northwardly indefinitely along the Coast, without Prejudice however to any of the exclusive Rights of the Hudson's Bay Company; and it was also by the said Article of the said Convention agreed, that the American Fishermen should have Liberty for ever to dry and cure Fish in any of the unsettled Bays, Harbours, and Creeks of the Southern Part of the Coast of Newfoundland above described, and of the Coast of Labrador, but that so soon as the same, or any Portion thereof, should be settled, it should not be lawful for the said Fishermen to dry or cure Fish at such Portion so settled, without previous Agreement for such Purpose with the Inhabitants, Proprietors, or Possessors of the Ground; be it therefore enacted, that from and after the passing of this Act* it shall and may be lawful for His Majesty, by and with the Advice of His Majesty's Privy Council, by any Order in Council, to be from Time to Time made for that Purpose, to make such Regulations, and to give such Directions, Orders, and Instructions to the Governor of Newfoundland, or to any Officer on that Station, or to any other Person, as shall or may be from Time to Time deemed proper and necessary for the carrying into Effect the Purposes of the said Convention, with relation to the taking, drying, and curing of Fish by Inhabitants of the United States of America, in common with British Subjects, within the Limits set forth in the said Article herein before recited. 59 Geo. 3. c. 38. § 1.

His Majesty in Council may make Regulations for carrying the Convention into Effect.

39. From and after the passing of this Act it shall not be lawful for any Person, not being a natural-born Subject of His Majesty, in any Foreign Ship, Vessel, or Boat, nor for any Person in any Ship, Vessel, or Boat, other than such as shall be navigated according to the Laws of the United Kingdom of Great Britain and Ireland, to fish for, or to take, dry, or cure any Fish of any Kind whatever, within Three Marine Miles of any Coasts, Bays, Creeks, or Harbours whatever, in any Part of His Majesty's Dominions in America, not included within the Limits specified and described in the First Article of the said Convention, and herein-before recited; and if any such Foreign Ship, Vessel, or Boat, or any Persons on board thereof, shall be found fishing, or to have been fishing, or preparing to fish within such Distance of such Coasts, Bays, Creeks, or Harbours, within such Parts of

Foreign Vessels not to fish within a certain Distance of any British Harbour in America not included in the Limits prescribed by the Convention;

under Penalty of Confiscation.

* 14*th June* 1819.

His

His Majesty's Dominions in America out of the said Limits as aforesaid, all such Ships, Vessels, and Boats, together with their Cargoes, Guns, Ammunition, Tackle, Furniture, and Stores, shall be forfeited, and shall and may be seized, taken, sued for, prosecuted, recovered, and condemned by such and the like Ways, Means, and Methods, and in the same Courts, as Ships, Vessels, or Boats may be forfeited, seized, prosecuted, and condemned for any Offence against any Laws relating to the Revenue of Customs, or the Laws of Trade and Navigation, under any Act of Great Britain, or of the United Kingdom; provided that nothing in this Act contained shall apply to the Ships or Subjects of any Prince, Power, or State in Amity with His Majesty, who are entitled by Treaty with His Majesty to any Privilege of taking, drying, or curing Fish on the Coasts, Bays, Creeks, or Harbours, or within the Limits in this Act described. 59 Geo. 3. c. 38. § 2.

Not to extend to Vessels of any Power entitled thereto by Treaty.

40. Provided, that it shall be lawful for any Fishermen of the said United States to enter into any such Bays or Harbours of His Britannic Majesty's Dominions in America as are last mentioned, for the Purpose of Shelter and repairing Damages therein, and of purchasing Wood and of obtaining Water, and for no other Purpose whatever; subject to such Restrictions as may be necessary to prevent such Fishermen from taking, drying, or curing Fish in the said Bays or Harbours, or in any other Manner whatever abusing the said Privileges reserved to them, and as shall for that Purpose be imposed by any Order in Council, and by any Regulations which shall be issued by the Governor or Person exercising the Office of Governor in any such Parts of His Majesty's Dominions in America, in pursuance of any such Order in Council. 59 Geo. 3. c. 38. § 3.

American Fishermen may enter such Harbours for the Purposes of repairing or watering, subject to such Regulations as may be issued to prevent the Abuse of the Treaty.

41. If any Person, upon Requisition made by the Governor of Newfoundland, or the Person exercising the Office of Governor, or by any Governor, or Person exercising the Office of Governor in any other Parts of His Majesty's Dominions in America, or by any Officer or Officers acting under such Governor, or Person exercising the Office of Governor, in the Execution of any Orders or Instructions from His Majesty in Council, shall refuse to depart from such Bays or Harbours; or if any Person shall refuse or neglect to conform to any Regulations or Directions which shall be made or given for the Execution of any of the Purposes of this Act; every such Person so refusing or otherwise offending against this Act shall forfeit £200, to be recovered in the Superior Court of Judi-

Penalty on Persons refusing to remove, or disobeying Orders, 200l.

Newfoundland.

cature of the Island of Newfoundland, or in the Superior Court of Judicature of the Colony or Settlement within or near to which such Offence shall be committed, or by Bill, Plaint, or Information in any of His Majesty's Courts of Record at Westminster; One Moiety of such Penalty to belong to His Majesty, and the other Moiety to such Person as shall sue or prosecute for the same; provided, that any such Suit or Prosecution, if the same be committed in Newfoundland, or in any other Colony or Settlement, shall be commenced within Three Calendar Months, and if commenced in any of His Majesty's Courts at Westminster, within Twelve Calendar Months from the Time of the Commission of such Offence. 59 Geo. 3. c. 38. § 4.

New Providence.

Nassau a Free Port.

The Port of Nassau, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. § 1.

See Free Ports.

Nova Scotia & New Brunswick.

No Goods to be imported from the United States except Pitch, Tar, and Turpentine;

1. No Goods shall be imported from the Territories of the United States of America, into Nova Scotia or New Brunswick, or any Country or Island within the Governments thereof, on Forfeiture of such Goods and the Vessel, except Pitch, Tar, and Turpentine, the Production of the said Territories, which may be imported into the said Provinces in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

and Household Furniture, Utensils of Husbandry, and Clothing, brought by Subjects of the said States who intend to settle:

2. Except also Household Furniture, Utensils of Husbandry, and Clothing, by Subjects of the United States, who shall come from thence, together with their Families, to Nova Scotia, or any of the Provinces belonging to His Majesty in North America, for the Purpose of residing and settling there, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor of the said Islands or Provinces respectively; provided such Household Furniture, &c. are imported in British Ships, owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the Whole the Value of £ 0 for every White Person that shall belong to such Family, and 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See Settlers.

3. In

Except also Lumber, &c. in case of Distress, for the Supply of the Inhabitants;

3. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief, with the Consent of the Council of the Provinces of Nova Scotia and New Brunswick respectively, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Provinces; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

or for Re-exportation to other Colonies.

4. Any of the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia or New Brunswick, with the Advice and Consent of their respective Councils, may authorize the Importation of the aforesaid Articles, for a limited Time, from any of the Territories of the United States of America for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

By whom Goods and Vessels may be seized.

5. Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officers of His Majesty's Customs. 28 Geo. 3. c. 6. 33 Geo. 3. c. 50.

Salt from any Part of Europe.

6. Salt for the Fisheries of Nova Scotia may be laden in any Part of Europe for Exportation to any of the British Colonies or Plantations, on board any British-built Vessel, owned, navigated, and registered according to Law. 2 Geo. 3. c. 24. 4 Geo. 3. c. 15. § 31.—*See* EUROPE.

Wines from the Western Islands

7. Wines of the Madeiras or of the Western Islands or Azores may be there laden for Exportation to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 7.

Goods from Guernsey and Jersey.

8. Goods fit and necessary for the Fisheries in the British Colonies in America may be exported to Colonies where such Fishery is carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.—*See* GUERNSEY. JERSEY.

Herrings from the Isle of Man

9. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies or Plantations, as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.—*See* MAN.

also Tools and Implements.

10. Tools and Implements necessary for the Fisheries in the British Colonies may be exported direct to the said Colonies from the Isle of Man. 15 Geo. 3. c. 31. § 5.—*See* MAN.

11. Spirits

Spirits may be exported to Lower Canada on the same Duty as from Sugar Colonies;

11. Spirits of His Majesty's Sugar Colonies in the West Indies, legally imported into Nova Scotia or New Brunswick from the said Sugar Colonies, or from Bermuda, may be exported from the said Provinces to Lower Canada, and admitted to Entry on Payment of the same Rate of Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 48. § 1, 2.

and may be imported from Bermuda, on the same Duty and Conditions as from Sugar Colonies.

12. Spirits the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, imported into Bermuda may be exported from Bermuda into Nova Scotia or New Brunswick, and admitted to Entry on Payment of the same Duty as if imported direct from the said Sugar Colonies; and under the Conditions contained in 28 Geo. 3. c. 39. may be imported into the said Provinces without Payment of Duty, as if such Spirits had been imported directly from the said Colonies. 51 Geo. 3. c. 62. § 1, 2.

See SPIRITS.

Fruit, &c. may be imported from Places in Europe South of Cape Finisterre.

13. Fruit, Wine, Oil, Salt, or Cork, the Produce or Manufacture of Europe South of Cape Finisterre, may be shipped in any Port of Europe South of Cape Finisterre for Exportation direct to Saint John's in New Brunswick or Halifax, and Shelburn in Nova Scotia, on board any Ship arriving at any Port in Europe with Articles the Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.—*See* CORK. FRUIT. OIL. SALT. WINE.

Certain Articles may be imported from Malta or Gibraltar.

14. Any British-built Ship, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the Schedule marked (B.) annexed to 55 Geo. 3. c. 29. for Exportation direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

Certain Articles may be exported direct to Malta or Gibraltar.

15. Articles, the Production or Manufacture of His Majesty's Colonies or Plantations in North America, or which may have been legally imported into such Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

Oranges and Lemons may be imported from the Azores or Madeiras.

16. Oranges and Lemons, the Growth of the Azores or Madeiras, may be there laden for Exportation direct to any of the British Colonies in North America, on board any

any British Ship, navigated and registered according to Law. 57 Geo. 3. c. 89.

Ports may be approved for the Importation of Scantling, &c. in Foreign Ships.

17. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, and Tobacco; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth, Produce, or Manufacture of the Country to which the Vessels importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or to any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

Gypsum, &c. may be exported from the said Ports in the like Ships:

18. Any British Vessel, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may export from the said Ports so to be appointed for that Purpose, Gypsum, Grindstones, or other Produce or Manufacture of the said Provinces, and also any Produce or Manufacture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods whatever which have been legally imported into the said Provinces; provided that none of the aforesaid Articles shall be exported from the said Ports to any Foreign Country or Place, in any Foreign Vessel, unless such Foreign Vessel shall belong to the Country to which the said Articles shall be exported. 58 Geo. 3. c. 19. § 4, 5.

Under such Regulations as His Majesty may think necessary.

19. His Majesty, by and with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of Goods aforesaid at the said Ports, with such Penalties and Forfeitures for Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

20. This Act shall continue in force during the Space of Three Years from and after the passing of the same*,

* 8th *May* 1818.

and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Certain Vessels not required to be registered.

21. Vessels not exceeding 30 Tons, and not having a Deck, employed solely in the Fisheries on the Banks or Shores of Nova Scotia or New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or of the Islands within the same, or in trading Coastwise within the Limits, are not required to be registered. 27 Geo. 3. c. 19. § 8.

See Registry of British Ships.

Vessels built for European Owners, the Husband or Agent may take Register Oath.

22. Ships or Vessels built in those Parts of the said Provinces adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, on account of Owners who reside in His Majesty's European Dominions, may be registered upon the Husband or Agent taking the Oath required by 26 Geo. 3. c. 60. 27 Geo. 3. c. 19. § 9.

See Registry of British Ships.

Ochres,

Importation allowed from Malta or Gibraltar.

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See Gibraltar.
Malta.

Officers.

May be appointed by the Treasury and Commissioners;

1. The Lords of the Treasury, and the Commissioners of the Customs in England, may constitute and appoint such and so many Officers of the Customs in any City, Town, River, Port, Harbour, or Creek, of or belonging to any of the Islands, Tracts of Land, and Properties in America, when and as often as the same shall seem needful. 7 & 8 W. 3. c. 22. § 11.

and by the Governor or Commander in Chief, for the Purpose of seizing Sugar, Indigo, and Wine.

2. May be appointed by the Governors or Commanders in Chief in the British Plantations for the Purpose of seizing Sugar, Indigo, and Wine, landed without Payment of Duty, or without a Warrant signed by the proper Officer. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1. 7.

3. Every

3. Every Person who, upon the Day of the Demise of His present Majesty, shall hold any Office Civil or Military under the Crown during Pleasure, shall, without any new or other Patent, Commission, Warrant, or Authority, continue and be entitled in all respects, notwithstanding the Demise of His Majesty, to hold the same during the Pleasure of the King or Queen who shall succeed to the Crown; and the Right and Title to hold and enjoy the same under the Authority of this Act shall be determinable in such manner by the King or Queen who, upon the Demise of His Majesty, shall succeed to the Crown, as the Right or Title to any Office, Place, or Employment granted by such succeeding King or Queen during Pleasure would by Law be determinable; provided that this Act shall not deprive the Heirs and Successors of His Majesty of the Power of removing and discharging any Person from his Office, in such manner as they might have done if this Act had not been passed. 57 Geo. 3. c. 45. § 1.

May hold their Offices upon the Demise of His Majesty without any new Appointment.

4. Naval Officers are within Two Months, or as soon as convenient after their Entrance upon their Office, to give sufficient Security to the Commissioners of the Customs, for His Majesty's Use, for the faithful Performance of their Duty, and in default thereof, shall be disabled to execute the Office; and until such Security is given, and the Person appointed to the said Office be approved by the said Commissioners, the respective Governors shall be answerable for any the Neglects or Misdemeanors of the Persons so appointed. 7 & 8 W. 3. c. 22. § 5.

Naval, to give Security, otherwise the Governors to be answerable.

5. No Office in any Colony or Settlement, Plantation, or Foreign Possession belonging to the Crown of Great Britain, shall be granted either by Patent under the Great Seal, or by Commission under His Majesty's Sign Manual, or by any other Commission, Warrant, or Instrument, for any longer Time than during such Time as the Grantee thereof shall reside in the Colony, Settlement, Plantation, or Foreign Possession, and execute the Duty of such Office in Person, and behave well therein. 22 Geo. 3. c. 75. § 1. 54 Geo 3. c. 61. § 1.

Offices not to be granted for any longer Time than the Grantee shall execute the Duty in Person.

6. If any Person holding such Office shall be wilfully absent from the Colony or Plantation, without a reasonable Cause to be allowed by the Governor and Council, or shall neglect the Duty of such Office, or otherwise misbehave therein, such Governor and Council may amove such Person from any such Office; and in case any Person so

Misbehaving, may be amoved by the Governor and Council.

amove t shall think himself aggrieved thereby, he may appeal therefrom as in other Cases of Appeal from such Colony or Plantation. 22 Geo. 3. c. 75. § 2.

Who may grant Leave of Absence, and provide for Vacancies.

7. But the Governor and Council of any Colony or Plantation may give such Leave of Absence as they shall see Occasion; and in such Case, as likewise in the Case of Vacancy occasioned by Death or Amotion, may provide for the due Discharge of the Duties of such Office, until the King's Pleasure shall be known. 22 Geo. 3. c. 75. § 3.

Leave of Absence to be reported to Secretary of State, and if not confirmed, the Officer must return to the Colony.

8. In all Cases in which the Governor and Council of any Colony, Settlement, Plantation, or Foreign Possession, shall hereafter grant Leave of Absence to any Person holding an Office within the same, to which he shall have been appointed subsequent to the passing of this Act, the Governor, or in his Absence the Lieutenant Governor, or other Person administering the Government, shall within One Week report the same to One of His Majesty's Principal Secretaries of State for Confirmation; and in case the Leave of Absence shall not be confirmed within One Month from the Date of such Report having been received by the Secretary of State, the Person to whom the Leave of Absence may have been granted shall forthwith return to the Colony, &c. in which his Office is situated; and in default thereof, shall be deemed to have vacated such Office, and his Appointment shall be considered void. 54 Geo. 3. c. 61. § 2.

Neglecting to report Leave of Absence.

9. Every Governor, Lieutenant Governor, or other Person administering the Government of any Colony, &c., who shall omit or neglect to report in Manner before directed such Leave of Absence, shall for every such Omission or Neglect forfeit a Sum not exceeding £100, to be sued for and recovered by Action of Debt in any of His Majesty's Courts of Westminster within One Year after the Arrival in England of the said Governor, Lieutenant Governor, or other Person administering the Government. 54 Geo. 3. c. 61. § 3.

A Return to be made of Officers absent, to the House of Commons.

10. Within Six Weeks after the opening of every Session of Parliament, there shall be laid before the House of Commons, a Return of Persons holding Offices in the Colonies, appointed thereto subsequent to the passing of this Act, who may not be present in the Execution of the Duties of their Offices, and such Return shall be made in the Form prescribed in the Schedule (A.) to this Act annexed. 54 Geo. 3. c. 61. § 4.

11. Nothing

11. Nothing in this Act shall operate to the Prejudice of any subsisting Grant of any Office, or shall affect any Appointment or any Leave of Absence granted previous to the passing of this Act, or any renewed Grant of any Office which may be made in consequence of the Demise of the Crown to any Person now holding the same; and no Provision of this Act shall be applicable to any Office granted or to be granted by the East India Company, or to any Rules, Regulations, or Provisions made by the said Company, with respect to the Appointment or Leave of Absence of any of their Civil or Military Servants. 54 Geo. 3. c. 61. § 5.

Not to affect Appointments or Leave of Absence granted before this Act.

12. The Duties imposed by any Act upon Goods imported into, exported or carried from, any British Colony or Plantation in America, may be put under the Management and Direction of such Commissioners, to reside in the said Plantations, as His Majesty, by His Commission under the Great Seal of Great Britain, shall judge to be most for the Advantage of Trade and Security of the Revenue. 7 Geo. 3. c. 41. § 1.

The Duties imposed by any Act may be put under the Management of Commissioners to reside in the Plantations.

13. The said Commissioners, or any Three of them, shall have the same Powers and Authorities for carrying into Execution the Laws relating to the Revenues and Trade of the British Colonies in America, as were before the passing of this Act exercised by the Commissioners of the Customs in England, by virtue of any Act in force; and His Majesty in such Commission may make Provision for putting in Execution the several Laws relating to the Customs and Trade of the said British Colonies. 7 Geo. 3 c. 41. § 2.

To have the same Powers as the Commissioners in England.

14. All Deputations and other Authorities granted by the Commissioners of the Customs in England, before the passing of this Act, or which may be granted by them before any Commission shall issue in pursuance of this Act, to any Officer acting in the said Colonies or Plantations, shall continue in force as fully as if this Act had not been made, until the Deputations or other Authorities so granted to such Officer shall be revoked or made void by the Lords of the Treasury. 7 Geo. 3. c. 41. § 3.

Deputations granted by the Commissioners in England to remain in force.

15. Where any Officer shall, by any Person armed with Club or any Manner of Weapon, be forcibly ... dered, abused, beaten, or wounded, either on board any Ship, or upon the Land or Water, in the due Execution of his Office, every Person so hindering, &c. such Officer, or any Person acting in the Aid or Assistance, shall,

Abused or wounded in the Execution of their Office.

shall, by the next Justice of Peace or other Magistrate, be committed to Prison, there to remain till the next Quarter Sessions; and the Justices of the Quarter Sessions shall punish the Offender by Fine, not exceeding £100; and the Offender shall remain in Prison till he be discharged, both of the Fine and of the Imprisonment, or discover the Person that set him on work, to the end he may be legally proceeded against. 13 & 14 Car. 2. c. 11. § 6. 7 & 8 W. 3. c. 22. § 6.

Resisted in seizing Sugar, Indigo, or Wine.

16. Or any of their Assistants resisted in seizing Sugar, Indigo, or Wine, landed without Payment of Duty, or without a Warrant, the Offenders are to forfeit £50, and to be imprisoned for Three Months. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1. 7.

See INDIGO.
SUGAR.
WINE.

All Persons to aid and assist them, and who are saved harmless.

17. All Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Castles, and Blockhouses, and all Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, and Headboroughs, and all the King's Officers, Ministers, and Subjects whom it may concern, shall be aiding and assisting every Person appointed by His Majesty to manage the Customs, and the Officers of the Customs and their Deputies, in the due Execution of every Act and Thing by these Acts required; and all such who shall be aiding and assisting them in the due Execution hereof shall be defended and saved harmless. 13 & 14 Car. 2. c. 11. § 32. 7 & 8 W. 3. c. 22. § 6.

May plead the General Issue.

18. In case any Officer in the Plantations shall be sued or molested for any thing done in the Execution of his Office, he may plead the General Issue, and give this and other Custom Acts in Evidence, and the Judge shall allow thereof; and such Officer shall have the like Privileges and Advantages as are allowed by Law to the Officers of the Customs in England. 7 & 8 W. 3. c. 22. § 6.

Allowed Treble Costs.

19. If any Action shall be commenced in Great Britain or America against any Person for any thing done in pursuance of any Act relating to the Customs, the Defendant may plead the General Issue, and give the said Acts and special Matter in Evidence upon any Trial to be had thereupon, and that the same was done by the Authority of such Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff

Plaintiff shall be nonsuited, or discontinue his Action after the Defendant has appeared, or if Judgment shall be given upon Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases. 4 Geo. 3. c. 15. § 47.

Suffering enumerated Commodities to be carried to other Countries than Great Britain or Ireland.

20. Any Officer of the Customs in Great Britain who shall give any Warrant for, or suffer any enumerated Article to be carried into any Country, until they have been first unladen in Great Britain or Ireland, such Officer shall forfeit his Place and the Value of the Goods he shall give Warrant for, or suffer to pass into any other Country. 15 Car. 2. c. 7. § 9. 20 Geo 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

Liable to Double Costs and Damages in certain Cases.

21. If any Person employed in the Customs shall demand or take any other or greater Sum of Money than by Law is due, or put any Person out of his turn without express Order of the superior Officers, or shall illegally detain the Goods of any Person, or neglect or refuse to make Repayments and Allowances which are or shall be due, or shall not, after due Notice, give out and execute his Warrant, he shall be liable to Double Costs and Damages. 13 & 14 Car. 2. c. 11. § 34. 7 & 8 W. 3. c. 22. § 6.

Taking Bribes or doing Acts whereby Laws may be evaded;

22. Taking a Bribe, Recompence, or Reward, or conniving at any false Entry, or making any collusive Seizure or Agreement, or doing any other Act by which His Majesty shall be defrauded in his Duties, or any Goods prohibited shall be suffered to pass, either inwards or outwards, or whereby the Forfeitures and Penalties inflicted by any Act relating to the Customs in America may be evaded, shall forfeit £500, and be rendered incapable of serving His Majesty in any Employment Civil or Military; and if any Person shall give, offer or promise to give, any Bribe or Reward to any Officer of the Customs, to do, conceal, or connive at any thing whereby any of the Provisions made by any Law relating to His Majesty's Customs in America may be evaded or broken, such Person shall for every Offence (whether the Offer or Promise be accepted or performed or not) forfeit £50. 4 Geo. 3. c. 15. § 38.

Persons offering them.

Allowing the Privilege of British Ships without Examination.

23. Allowing the Privilege of a British-built Ship to any Ship coming into any Port and making Entry of any Goods, until Examination whether the Master and Three-fourths

fourths of the Mariners are British, shall for the First Offence be put out of his Office. 12 Car. 2. c. 18. § 11.

Conniving at the fraudulent Importation of East India Goods, or delaying Prosecution.

24. Knowingly conniving at the fraudulent Importation of any East India Commodities, or seizing any of the said Commodities, and by Fraud or Collusion desisting or delaying the Prosecution thereof to Condemnation, shall forfeit £500, and be incapable of holding any Office or Employment under His Majesty. 7 Geo. 1. st. 1. c. 21. § 9.

Taking Entries or signing Documents for Hats or Felts.

25. Taking any Entry Outwards, or signing any Cocket, Warrant, or Sufferance for the shipping or exporting any Hats or Felts, or suffering the same to be done, or conniving thereat, forfeit their Office and £500. 5 Geo. 2. c. 22. § 4.

Conniving at the fraudulent Importation of Sugar, &c. or delaying Prosecution.

26. Knowingly conniving at the fraudulent Importation or Landing any Sugar, Indigo, or Wine, or seizing the same for having been landed without Payment of Duty, or without a Warrant signed by the proper Officer, and by Fraud or Collusion desisting from or delaying the Prosecution thereof to Condemnation, shall forfeit £50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 13. § 6. 4 Geo. 3. c. 15. § 1.

Neglecting to perform Acts required of them under Register Act.

27. If any Person required by this Act in respect of his Office to perform any Act or Thing required to be done pursuant to the Provisions of this Act, shall wilfully neglect or refuse to perform the same, he shall on Conviction forfeit £500; and for the Second Offence £600, and be rendered incapable of serving His Majesty in any Employment relative to the Revenue, or any Civil Capacity whatever. 26 Geo. 3. c 60 § 40.

On Inquiries relative to the Revenue, Persons examined to deliver their Testimony on Oath.

28. All Persons examined as Witnesses on any Inquiry directed by the Commissioners of the Customs in England or any Four or more of them, to be made in America or the West Indies, relative to the Revenue or other Duties there, or to the Conduct of the Officers employed in the Collection thereof, by or before any Collector or Comptroller of the Customs, or either of them, at any Port in the British Colonies and Plantations in America or the West Indies, or by or before such other Person as shall be appointed by the said Commissioners, or any Four of them, for the Purpose aforesaid, are required to deliver their Testimony on Oath, to be administered by the Officer. 49 Geo. 3. c. 46. § 1.

29. If

29. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, or of giving false Evidence on Examination on Oath, the Person so convicted shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury. 49 Geo. 3. c. 46. § 2.

False Oaths deemed Perjury.

Oil.

1. The Produce of Europe South of Cape Finisterre, may be shipped and laden in any Port or Place of Europe South of Cape Finisterre for Exportation direct to any of the Ports herein-after mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, all in North America, on board of any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe South of Cape Finisterre with Articles the Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or Plantations, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned from Canada, whether such Goods shall be the Produce of Canada, or shall have been brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Vessels from British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Oil the Produce of Europe.

2. Upon the Importation of such Oil into any of the said Ports, the same shall be subject and liable to the Payment of such Duties as Goods of the like Denomination are liable to upon being imported into any of the said several Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

What Duties liable to.

3. The Person exporting any Cargo from Nova Scotia or New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or before the Naval Officer in Command at such Port, that the Cargo so shipped is the Produce of the said Provinces, or of the British Fisheries in North America, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and the said Officer shall certify such Oath under his Hand; which

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Province or of the British Fisheries, and Certificate thereof to be produced.

which Certificate shall be produced by the Master of the Ship on board of which any such Cargo is shipped, on his Arrival at the Port of Europe within the Limits aforesaid to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was the Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

Certain Articles may be exported from Canada without such Oath, on producing a Certificate of the regular Importation by Land or Inland Navigation.

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading dressed or undressed, Hoops, Pine Plank and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec that the said Articles were the Growth of or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to, in manner aforesaid, by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

Oath to be made before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

5. Before the Shipment of any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate

tificate thereof, signed with his Hand, which Certificate only the Master of such Ship shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

By whom Ships and Goods may be seized and prosecuted.

6. Any Ship or Goods subject to Forfeiture under this Act, may be seized by any Officer of the Customs in the said Colonies or Plantations, or by the Commander of any of His Majesty's Ships of War; and the same may be prosecuted, sued for, recovered, and divided in the same manner and by the same Rules and Regulations, as far as the same are applicable, as any other Forfeiture imposed by any Act made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force on or immediately before the passing of this Act, in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

Oath to be made before Shipment from Newfoundland, that it is the Produce of Fish caught by His Majesty's Subjects.

7. Before any Train Oil or Blubber imported into Great Britain, as being taken and caught on the Banks and Shores of Newfoundland and Parts adjacent, wholly by His Majesty's Subjects carrying on such Fishery from that Island, shall be admitted to Entry on Payment of the Duty payable upon such Oil or Blubber, the Master of the Ship in which the same shall be imported shall deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of Newfoundland, or of the Collector or other Chief Officer of the Customs of the Port or Place in Newfoundland where the Train Oil or Blubber shall have been taken on board, or if no such Officer or Governor or Deputy Governor shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer or other Principal Officer of the said Place, or of One of His Majesty's Justices of the Peace for the District, testifying that Oath had been made before him by the Shipper of such Oil or Blubber, that the same was really the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty's Subjects carrying on such Fishery, and usually residing in the Island of Newfoundland, or in His Majesty's European Dominions; and the Master of the Ship in which the Blubber or Train Oil shall be imported

ported into Great Britain, shall make Oath before such Collector or other Chief Officer at the Port of Importation, that the Blubber or Train Oil is the same as referred to in the said Certificate; and the Importer or Consignee of such Blubber or Train Oil shall also make Oath before the proper Officer of the Customs, at the Time of Entry, that to the best of his Knowledge or Belief the Blubber or Train Oil so imported was actually caught and taken by British Subjects usually residing in Newfoundland, or in His Majesty's European Dominions; and on Failure of such Certificate being produced, and Proof on Oath being made, such Blubber and Train Oil shall be deemed to be of Foreign Fishing, and charged with the Duty imposed on such Articles of Foreign Fishing. 55 Geo. 3. c. 135. § 1.

Oath of Identity on Importation into Great Britain.

The like Proof to be made as to Oil the Produce of Fish caught in the Gulf of Saint Lawrence, &c.

8. The like Duties as are now payable on Oil and Blubber, the Produce of Fish and Creatures living in the Sea, taken and caught on the Banks and Shores of Newfoundland and Parts adjacent wholly by His Majesty's Subjects carrying on the Fishery from that Island, and residing therein, shall be paid, on the Importation into Great Britain of Oil and Blubber the Produce of Fish or Creatures living in the Sea, taken and caught in the Gulf of Saint Lawrence, or on the Shores of any British Colony or Plantation in North America, or the Parts adjacent, wholly by His Majesty's Subjects usually residing in any of the said Colonies or Plantations, and carrying on such Fishery from thence, on the like Proofs and Certificates as are required on the Admission of Oil and Blubber of the Newfoundland Fishery to the Duty imposed thereon by Law. 56 Geo. 3. c. 118.

Oil of Almonds, Oil of Cloves, Opium, and Orange Buds,

Importation allowed from Malta or Gibraltar.

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. c. 4. § 1.

See Gibraltar.
Malta.

Oranges,

The Produce of the Azores or Madeiras, may be shipped in the said Islands for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports in any British-built Ship, owned, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

Importation allowed from the Azores or Madeiras.

Orris Root, Ostrich Feathers, and Paintings,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Painters Colours.

1. Not being the Manufacture of Great Britain or Ireland, imported from Great Britain or Ireland into any Colony or Plantation in America under the Dominion of His Majesty, the following Duties shall be paid; that is to say,

Duty on the Importation from Great Britain or Ireland.

For every Cwt. Avoirdupois of Painters Colours, Two Shillings. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. The said Duties shall be deemed Sterling Money of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of 5s. 6d. the Ounce in Silver, in the same Manner, and by such Rules, Penalties, and Forfeitures, as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations may be paid and recovered by any Act now in force; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, recovering, or accounting for the same) shall be applied in making a more adequate Provision for the Charge of the Administration of Justice and the Support of Civil Government in such of the said Colonies and Plantations where it shall

To be recovered as other Duties, and applied for the Use of the Colonies where found necessary, and the Residue paid into the Exchequer.

be

be found necessary; and the Residue of such Duties shall be paid into the Receipt of His Majesty's Exchequer, and entered separate and apart from all other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 10 Geo. 3. c. 17. § 4.

His Majesty may appropriate the Duties for the Use of all or any of the Colonies.

3. His Majesty, by any Warrant under His Sign Manual, countersigned by the High Treasurer, or any Three or more of the Commissioners of the Treasury, may cause such Monies to be applied out of the Produce of the Duties granted by this Act, as His Majesty shall think proper or necessary, for defraying the Charges of the Administration of Justice and the Support of the Civil Government within all or any of the said Colonies or Plantations. 10 Geo. 3. c. 17. § 5.

Paper.

Duty on the Importation from Great Britain or Ireland.

1. Upon the respective Sorts of Paper, Pasteboards, Millboards, and Scaleboards hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America, under the Dominion of His Majesty, the following Duties shall be paid; that is to say,

For every Ream of Paper usually called or known by the Name of Atlas Fine, 12s.

For every Ream of Paper called Atlas Ordinary, 6s.

For every Ream of Paper called Bastard or Double Copy, 1s. 6d.

For every single Ream of Blue Paper for Sugar-Bakers, 10½d.

For every Ream of Paper called Blue Royal, 1s. 6d.

For every Bundle of Paper containing 40 Quires, 6d.

For every Ream of Brown Cap, 9d.

For every Ream of Cartridge Paper, 1s. 1½d.

For every Ream of Paper called Chancery Double, 1s. 6d.

For every Ream of Paper called Genoa Crown Fine, 1s. 1½d.

For every Ream of Paper called Genoa Crown Second, 9d.

For every Ream of Paper called German Crown, 9d.

For every Ream of Paper called Fine Printing Crown, 9d.

For

For every Ream of Paper called Second Ordinary Printing Crown, 6¾d.

For every Ream of Paper called Demy Fine, 3s.

For every Ream of Paper called Demy Second, 1s. 4½d.

For every Ream of Paper called Demy Printing, 1s. 3d.

For every Ream of Paper called Genoa Demy Fine, 1s. 6d.

For every Ream of Paper called Genoa Demy Second, 1s. 1½d.

For every Ream of Paper called German Demy, 1s. 1½d.

For every Ream of Paper called Elephant Fine, 6s.

For every Ream of Paper called Elephant Ordinary, 2s. 5¼d.

For every Ream of Paper called Genoa Foolscap Fine, 1s. 1½d.

For every Ream of Paper called Genoa Foolscap Second, 9d.

For every Ream of Paper called German Foolscap, 9d.

For every Ream of Paper called Fine Printing Foolscap, 9d.

For every Ream of Paper called Second Ordinary Printing Foolscap, 6¾d.

For every Ream of any other Paper called Foolscap Fine, 1s. 10½d.

For every Ream of any other Paper called Foolscap Fine Second, 1s. 6d.

For every Ream of Paper called Imperial Fine, 12s.

For every Ream of Paper called Second Writing Imperial Fine, 8s. 3d.

For every Ream of Paper called German Lombard, 9d.

For every Ream of Paper called Medium Fine, 4s. 6d.

For every Ream of Paper called Genoa Medium, 1s. 10½d.

For every Ream of Paper called Second Writing Medium, 3s.

For every Ream of Painted Paper, 6s.

For every Ream of Paper called Fine Large Post, 1s. 10½d.

For every Ream of Paper called Small Post, 1s. 1½d.

For every Ream of Paper called Fine Genoa Pot, 6¾d.

For every Ream of Paper called Second Genoa Pot, 6¾d.

For every Ream of other Paper called Superfine Pot, 1s. 6d.

Paper.

For every Ream of other Paper called Second Fine Pot, 1s. 1½d.

For every Ream of Paper called Ordinary Pot, 6¼d.

For every Ream of Paper called Super Royal Fine, 9s.

For every Ream of Paper called Royal Fine, 6s.

For every Ream of Paper called Fine Holland Royal, 2s. 5¼d.

For every Ream of Paper called Fine Holland Second, 1s. 6d.

For every Ream of Paper called Second Fine Holland Royal, 1s. 6d.

For every Ream of Paper called Ordinary Royal, 9d.

For every Ream of Paper called Genoa Royal, 2s. 5¼d.

For every Ream of Paper called Second Writing Royal, 4s. 1½d.

For every Ream of Paper called Second Writing Super Royal, 6s.

For every Cwt. Avoirdupois of Pasteboards, Millboards, and Scaleboards, 3s. 9d.

All other Paper (not being particularly rated and charged by this Act) shall pay the several and respective Duties that are charged by this Act upon such Paper as is nearest above in Size and Goodness to such unrated Paper.

A Ream of Paper chargeable by this Act, shall be understood to consist of 20 Quires, and each Quire of 24 Sheets. 7 Geo. 3. c. 46. § 1, 2, 3. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

To be paid in the same Manner and by such Rules, &c. as the Duty on Painters Colours.

2. The said Duties shall be deemed Sterling Money of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and shall be levied, collected, paid, and applied in the same Manner, and by such Rules, &c. as the Duties upon Painters Colours are levied, collected, paid, and applied. 7 Geo. 3. c. 46. § 4, 5.

Passengers.

On board Ships clearing from the United Kingdom for Newfoundland or Labrador,

1. Before the sailing of any Ship from any Place in the United Kingdom to Newfoundland or the Coast of Labrador with Passengers, the Master and the Owners shall give Bond in £500, with Condition that there shall not be taken on board any more Passengers than are herein-

herein-after permitted, which Bond shall be taken by and deposited with the Collector and Comptroller or Principal Officer of the Customs at the Port from which such Ship shall sail; and the Master, previous to his leaving the Port, shall deliver to the Collector and Comptroller or Principal Officer, a List containing the Number of the Passengers, with their Names, Ages, and Descriptions, for the Purpose of being registered at such Port, together with a Copy of the same, which Copy shall be certified by the Officers as being correct, and shall be delivered to the Master of such Ship, to be kept on board, subject to the Inspection of any of His Majesty's Ships of War or Vessels in the Service of the Customs or Excise; and upon the Arrival of such Ship at either of the said Places, the Master shall deliver the aforesaid Copy of the List to the Governor or other Person acting for him, or to the Naval Officer or Chief Officer of the Customs at the Port of Arrival, or to the nearest Justice of the Peace, who shall examine the Passengers within 24 Hours after their Arrival; and no Passenger shall be allowed to land until such List is compared with the Passengers by the Governor, or Person acting for him, or some Person authorized by either of them for that Purpose. 56 Geo. 3. c. 83. § 1.

not to be landed until a List is delivered.

Passengers not to land until List examined.

2. If the Master shall take on board, or if the Owners shall engage to take on board, more Persons than the Number allowed, they shall forfeit £10 for each Person. 56 Geo. 3. c. 83. § 2.

Penalty for taking a greater Number than allowed.

3. Ships from any Place in the United Kingdom, or from Guernsey and Jersey, shall not carry to any Part of Newfoundland or Coast of Labrador, a greater Number of Passengers than in the following Proportion; that is to say, any British Ship having a Second Deck may take Passengers at the Rate of One for every unoccupied Space being Six Feet in Length by Two Feet in Breadth, and being of the full perpendicular Height between the Two Decks; or any British Ship which shall have only One Deck over her Hold, may take Passengers at the Rate of One for every Space between the Cargo stowed in the Hold and the Deck, being Six Feet in Length and Two Feet in Breadth, and being the Height of Five Feet perpendicular above the Cargo; and being independent in either Case of the Space which may be requisite for the Stowage of the Water and Provisions and Baggage of the Passengers; and the full Space before mentioned

What Number may be carried in Proportion to the Tonnage.

tioned shall accordingly be allotted for the Accommodation of each Passenger taken on board. 56 Geo. 3. c. 83. § 3.

To be supplied with a certain Quantity of Water and Provisions.

4. Every Ship shall be furnished at the Time of her Departure with at least Ten Weeks Supply of Water, so as to supply Five Pints per Day for every Passenger, exclusive of the Crew; and the Water shall be stowed below the Deck; and every Ship shall also be furnished with such a Supply of Provisions as will afford an Allowance for every Passenger, exclusive of the Crew, during Ten Weeks, of 1lb. of Bread or Biscuit, and 1lb. of Beef, or Three Quarters of a Pound of Pork, per Day; and also 2lbs. of Flour, 3lbs. of Oatmeal, or 3lbs. of Peas or Pearl Barley, and Half a Pound of Butter Weekly; the Weekly Allowance to commence on the Day the Ship puts to Sea. 56 Geo. 3. c. 83. § 4.

Not giving out the Allowance.

5. The Master of any Ship failing to give out the Allowance of Provisions and Water before specified, shall forfeit £10 for every Neglect. 56 Geo. 3. c. 83. § 5.

An Abstract of the Act to be exposed in the Ship.

6. An Abstract of this Act, stating the Number of Passengers allowed to be taken, and the Daily and Weekly Allowance of Water and Provisions, shall be exposed in some conspicuous Part of the Ship, to which the Passengers have Recourse; in Failure of which the Master shall forfeit £10. 56 Geo. 3. c. 83. § 6.

Taking Passengers from Newfoundland or Labrador, to conform to the like Regulations.

7. The Master of any Ship engaging to take on board Passengers from Newfoundland or the Coast of Labrador, for the Purpose of returning from thence to the United Kingdom, shall conform to the Regulations before enacted, as to the Number of Passengers which it shall be lawful for him to take, and shall be liable to the like Penalties for any Breach of such Regulations, as with respect to Ships proceeding from the United Kingdom to Newfoundland or the Coast of Labrador. 56 Geo. 3. c. 83. § 7.

Quantity of Water and Provisions on the Return from Newfoundland and Labrador.

8. Every such Ship returning from Newfoundland or the Coast of Labrador to any Place of the United Kingdom with Passengers, shall be furnished at the Time of her Departure with at least Seven Weeks Supply of Water, so as to supply Five Pints per Day for every Passenger, exclusive of the Crew, and the Water shall be stowed below the Deck; and every such Ship shall also be furnished with such a Supply of Provisions as will afford the same Allowances before mentioned (See No. 4.) for every Passenger, exclusive of the Crew. 56 Geo. 3. c. 83. § 8.

Not giving out the Allowance.

9. The Master or Person having Command of any Ship failing to give out the Allowance of Provisions and Water before specified, shall forfeit £10 for every Neglect. 56 Geo. 3. c. 83. § 9.

How Penalties and Forfeitures to be recovered and applied.

10. Penalties and Forfeitures may be recovered in a summary Way, on the Oath of One Witness, before any One of His Majesty's Justices of the Peace of any County, City, Riding, Shire, or Place in the United Kingdom, where such Ship shall depart from or come to, or in a summary Way in any Surrogate Court of Session having Jurisdiction in Newfoundland; and such last-mentioned Penalties and Forfeitures as shall be recovered in Newfoundland, shall be paid to the Governor, or other Person acting for him, or some Person authorized by either of them for that Purpose, to be applied under the Direction of such Governor, &c. in defraying the Passage home of such Persons as ought to be sent to that Country to which they belong. 56 Geo. 3. c. 83. § 10.

Not to extend to Servants in the Fisheries.

11. But not to extend to the Conveyance of any Persons on board of any such Ship, whether Fishermen, Youngsters, or others, being hired Servants, to be employed on the Establishment of their Masters or Hirers in the Prosecution of the Fisheries carried on from Newfoundland or the Coast of Labrador. 56 Geo. 3. c. 83. § 11.

On board Ships clearing from the United Kingdom for Canada, &c. not to be [illegible]ed until a List delivered.

12. No Ship shall sail with Passengers from any Place in the United Kingdom, to any Place in Upper or Lower Canada, Nova Scotia, New Brunswick, Cape Breton, or Prince Edward's Island, unless the Master and the Owner or Owners shall before the sailing enter into Bond to His Majesty, in £500, with Condition that there shall not be taken on board any more Passengers than are herein-after allowed, and that every Passenger, if alive, shall be landed at the Place to which such Passenger shall have contracted to be conveyed; which Bond shall be taken by and deposited with the Collector and Comptroller or other Principal Officer of the Customs at the Port from which such Ship shall sail; and the Master, previous to his leaving the Port, shall deliver to the Collector and Comptroller or other Principal Officer of the Customs, a List containing the Number of the Passengers, with their Names, Ages, and Descriptions, and the Places to which they are to be conveyed, for the Purpose of being registered at such Port, together with a Copy of the same, which Copy shall be certified by the said Officer as being correct, and delivered to the Master,

to be by him kept on board the Ship, subject to the Inspection of any of His Majesty's Ships of War, or Vessels in the Service of the Customs or Excise; and upon the Arrival of such Ship at either of the aforesaid Colonies, the Master shall deliver the Copy of the List to the Governor or Person acting for him, or to the Naval Officer or Chief Officer of the Customs at the Port of Arrival, or to the nearest Justice of the Peace, who shall examine the Passengers within 24 Hours after their Arrival; and no Passenger shall be allowed to land until such List is compared with the Passengers by the Governor or Person acting for him, or some Person authorized by them for that Purpose. 57 Geo. 3. c. 10. § 2.

Penalty for taking a greater Number than allowed.

13. If the Master of such Ship shall take on board, or if the Owners shall engage to take on board, more Persons than the Number allowed, they shall forfeit £50 for each Person. 57 Geo. 3. c. 10. § 3.

What Number may be carried in Proportion to the Tonnage.

14. Ships from any Place in the United Kingdom, or from Guernsey and Jersey, shall not carry to any Place in Upper or Lower Canada, Nova Scotia, New Brunswick, Cape Breton, or Prince Edward's Island, a greater Number of Passengers than in the Proportion of One adult Person, or of Three Children under Fourteen Years of Age, for every One Ton and a Half of the Burthen, as described in the Certificate of Registry; and if any such Ship shall be partly laden with Goods, then the Master shall not receive or take on board a greater Number of Persons than in the Proportion of One adult Person, or of Three Children under Fourteen Years of Age, for every One Ton and a Half of that Part remaining unladen. 57 Geo. 3. c. 10. § 4.

To be supplied with a certain Quantity of Water and Provisions.

15. Every such Ship shall be furnished, at the Time of her Departure, with at least Twelve Weeks Supply of Water, so as to supply Five Pints of Water per Day for every such Passenger, exclusive of the Crew, to be stowed below the Deck; and shall be furnished with such a Supply of Provisions as will afford an Allowance for every Passenger, exclusive of the Crew, during the said Period of Twelve Weeks, of 1 lb. of Bread or Biscuit, and 1 lb. of Beef or Three Quarters of a Pound of Pork per Day; and also 2 lbs. of Flour, 3 lbs. of Oatmeal, or 3 lbs. of Peas or Pearl Barley, and Half a Pound of Butter, weekly: the weekly Allowance to commence on the Day the Vessel puts to Sea. 57 Geo. 3. c. 10. § 5.

16. The

16. The Master of any Ship failing to give out the Allowance of Provisions and Water before specified, shall forfeit £10 for every such Neglect. 57 Geo. 3. c. 10. § 6. Not giving out the Allowance.

17. An Abstract of this Act, stating the Number of Passengers allowed to be taken, and the daily and weekly Allowance of Water and Provisions, shall be exposed in some conspicuous Part of the Ship, to which the Passengers have Recourse; in Failure of which the Master shall forfeit £10. 57 Geo. 3. c. 10. § 7. An Abstract of the Act to be exposed in the Ship.

18. Penalties and Forfeitures may be recovered in a summary Way, on the Oath of One Witness, before any One of His Majesty's Justices of the Peace of any County, City, Riding, Shire, or Place in the United Kingdom, where such Vessel shall depart from or come to, or in a summary Way in any Court of Session having Jurisdiction in the Port or Place at which such Ship shall arrive; and One Moiety of such Penalty shall be applied to the Use of His Majesty, and the other Moiety to the Use of such Person as shall first sue for the same. 57 Geo. 3. c. 10. § 8. How Penalties and Forfeitures to be recovered and disposed of.

19. But not to affect any Law or Custom now in force in the United Kingdom, for the Restriction or Regulation of Artificers and others from or in going or passing from the said Kingdom to Parts beyond Sea, or to regulate the Ships conveying such Artificers, or the Masters of such Ships; but that such Laws and Customs shall remain in force as if this Act had not been made. 57 Geo. 3. c. 10. § 9. Not to affect Ships taking Artificers.

Pearls,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Peas. See "Corn."

Penalties.

Relative to Trade or Revenue, how to be recovered and divided.

1. All Penalties incurred in the British Colonies or Plantations in America, under any Law relative to Trade or Revenue, shall be sued for and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises; and in Cases where there shall happen to be no such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Cause of Prosecution arises, and (the necessary Charges for the Recovery thereof being first deducted) shall be divided, One Moiety to His Majesty, and the other Moiety to the Prosecutor. 4 Geo. 3. c. 15. § 40. 49 Geo. 3. c. 107. § 1.

To be deemed Sterling Money.

2. Money imposed as Penalties by any Act of Parliament relating to the Customs, which shall be incurred or recovered in any of the British Colonies or Plantations in America, shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be taken according to the Proportion and Value of 5s. 6d. the Ounce in Silver. 4 Geo. 3. c. 15. § 41.

May be mitigated or remitted by the Treasury.

3. The Commissioners of the Treasury, or any Three or more of them, may mitigate or remit any Penalty which shall have been incurred, or any Part of any such Penalty, under any Law relating to the Trade and Navigation of this Kingdom. 54 Geo. 3. c. 171. § 1.

Upon such Terms and Conditions as they may think fit.

4. In any Case wherein the said Commissioners of the Treasury shall exercise the Powers hereby vested in them, such Penalties, or any Part thereof, shall be remitted or mitigated in such Manner, and upon such Terms and Conditions, as to Costs or otherwise, as under the Circumstances of the Case the said Commissioners shall think fit to direct; and no Person shall be entitled to the Benefit of any such Order, unless the Terms and Conditions shall be complied with. 54 Geo. 3. c. 171. § 2.

Pickles,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

1. Of the Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

Not to be exported, unless to some other Plantation, or Great Britain or Ireland.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. There shall be paid unto His Majesty, for every Pound Weight Avoirdupois of British Pimento which shall be imported into any British Colony or Plantation in America, One Halfpenny, (except only such British Pimento as shall be warehoused under the Regulations and Restrictions herein-after mentioned); and such Duty shall be deemed and taken to be Sterling Money of Great Britain, and be received to the Amount of the Value which such nominal Sums bear in Great Britain, and may be taken according to the Proportion and Value of 5s. 6d. the Ounce in Silver 6 Geo. 3. c. 52. § 4. 12.

Duty upon Importation of British Pimento.

3. The Duty shall be collected, paid, and recovered in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations are or may be collected, &c. by any Act now in force, as effectually as if the Clauses relating thereto were particularly repeated and again enacted in this Act; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, levying, recovering, paying, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, entered separate and apart from all other Monies paid or payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

How to be collected, recovered, and appropriated.

4. Provided that no Duty shall be paid for any British Pimento which shall be imported or brought into any British Colony or Plantation in America, if upon landing thereof it is immediately deposited in Warehouses provided

If warehoused for Exportation to Great Britain or Ireland, or some other British Colony,

the Duty not to be charged.

vided at the sole Expence of the Importer or Proprietor of such Pimento, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller or other Principal Officer of the Customs at the Port or Place where the Pimento shall be imported, and shall be secured under the separate Locks of such Officers and the Proprietor, and within the Space of Twelve Calendar Months from the Landing and Warehousing the same, be shipped directly from thence for Exportation, either to Great Britain, Ireland, or to some other British Colony or Plantation in America, under the like Securities and Restrictions as are required by Law for the same. 6 Geo. 3. c. 52. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

Not exported or Duty paid, the Goods may be sold.

5. If the Importer or Proprietor of any Pimento warehoused as aforesaid, shall not pay the Duty, nor export the Goods within Twelve Calendar Months, the Collector and Comptroller, or other Principal Officer of the Customs at the Port or Place where such Goods shall be secured, may cause the same to be publicly sold to the best Advantage; and the Money arising by such Sale shall be in the first Place applied in Discharge of the Duties, and the Charges attending such Sale, and the Surplus (if any) shall be paid to the Importer or Proprietor who landed and warehoused such Pimento, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. § 17.

May be exported to the United States.

6. May be exported from the West India Islands to the Territories of the United States of America by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 3.

If Bond required when exported to a British Colony, Bond to be required on Exportation to the United States.

7. Where, on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate is required to discharge such Bond *, a similar Bond shall be required on Exportation to the United States; and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Pur-

* *A Bond is so required on the Exportation of Pimento. See No.* 1.

pose

pose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Ship that the Goods were duly landed. 28 Geo. 3. c. 6. § 4.

Exportation allowed to Malta or Gibraltar.

8. The Growth and Produce of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to the Island of Malta or the Dependencies thereof, or to Gibraltar, in such Ships or Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Pistaccio Nuts,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Pitch, Tar, and Turpentine.

Not to be exported, unless to some other Plantation, or Great Britain or Ireland.

1. Of the Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See ASHES, POT AND PEARL.

2. The

May be imported from United States into the West India Islands and Colonies in Guiana in British Vessels;

2. The Production or Manufacture of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana; but not to be so imported except by British Subjects, and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

and into Bermuda in Foreign Vessels.

3. The Production or Manufacture of the said Territories, may be imported from thence into St. George or Hamilton, in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Vessels, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under European Sovereigns;

4. Not to be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantations on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

except in case of Distress, for the Supply of the Inhabitants;

5. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation of Pitch, Tar, and Turpentine, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies respectively; but not to be so imported except by British Subjects, and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

6. During

and from the Portuguese Colonies.

6. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, Pitch, Tar, and Turpentine, being the Production or Manufacture of some of the Territories or Dominions belonging to the Crown of Portugal in South America; such Pitch, &c. being imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

Having been imported for Supply of Inhabitants, not to be exported; and Oath to be taken before shipping Articles of the like Denomination.

7. In case any Pitch, Tar, or Turpentine, which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, (See No. 5.) shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat, or brought to any Quay with Intent to be so exported, the same shall be forfeited, as also the Ship or Boat in which laden; and before shipping any Pitch, Tar, and Turpentine, that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

False Oaths deemed Perjury.

8. If any Person shall be convicted of taking a false Oath, touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

By whom Goods and Vessels may be seized.

9. Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. § 16. 29 Geo. 3. c. 56. § 4. 31 Geo. 3. c. 38. 56 Geo 3. c. 91.

10. Of

Pitch, Tar, and Turpentine.

May be imported into Nova Scotia or New Brunswick in British Ships;

10. Of the Production or Manufacture of any of the Territories of the United States of America, may be imported from thence into the Provinces of Nova Scotia or New Brunswick, by British Subjects and in British-built Ships, owned by His Majesty's Subjects and navigated according to Law. 33 Geo. 3. c. 50. § 14.

and into Ports to be approved by His Majesty in the said Provinces in Ships of States in Amity;

11. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Pitch, Tar, and Turpentine into such Ports as shall be specially appointed by His Majesty, with the Advice of His Privy Council, for that Purpose, within the Provinces of Nova Scotia or New Brunswick; provided that the said Articles shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

under such Rules as His Majesty shall think fit.

12. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

13. This Act shall continue in force for the Space of Three Years from and after the passing of the same*, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Pitt's Town,

A Free Port.

In Crooked Island, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Porto Rico.

Timber may be imported from thence.

Any Person may import, in British-built Ships, owned, navigated, and registered according to Law, into the

---

* *8th May* 1818.

Porto Rico.

Islands under the Dominion of His Majesty in the West Indies, from Porto Rico, certain Species of Timber, the Growth or Production thereof. 33 Geo. 3. c. 50. § 13.
See WOOD.

Portuguese Colonies.

Certain Articles which may be imported into His Majesty's West India Islands, and the Colonies of Demerara, Berbice, and Essequibo, from the United States, in British-built Ships, owned, navigated, and registered according to Law, may also be imported into the said Islands and Colonies from any of the Territories or Dominions belonging to the Crown of Portugal in South America. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1.
See UNITED STATES.

The same Articles may be imported from thence as from the United States.

Poultry. See "Live Stock."

Pozzolona,

May be imported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law, 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.
See GIBRALTAR.
MALTA.

Importation allowed from Malta or Gibraltar.

Precious Stones,

1. May be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.
See FREE PORTS.

May be imported into the Free Ports in Foreign Vessels.

2. May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or

Importation allowed from Malta or Gibraltar.

to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. §. 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Prince Edward's Island.

Wines from the Madeiras or Western Islands.

1. Wines of the Madeiras, or of the Western Islands or Azores, may be there laden for Exportation to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 7.

Goods necessary for the Fishery.

2. Goods fit and necessary for the Fishery in the British Colonies in America, may be exported to Colonies where such Fishery is carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.

See GUERNSEY.
JERSEY.

Herrings from the Isle of Man.

3. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies or Plantations, in the same Manner as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.

See MAN.

Tools and Implements for the Fisheries from thence.

4. Tools and Implements necessary for the Fisheries in the British Colonies, may be exported direct to the said Colonies from the Isle of Man. 15 Geo. 3. c. 31. § 5.

See MAN.

Spirits may be exported to Lower Canada on the same Duty as from Sugar Colonies.

5. Spirits, the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, legally imported into Prince Edward's Island from the said Sugar Colonies, or from Bermuda, may be exported from the said Island to Lower Canada, and admitted to Entry on Payment of the same Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 48. § 1.

See SPIRITS.

May be imported from Bermuda on the same Conditions as if direct from Sugar Colonies.

6. Spirits, the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, imported direct into Bermuda from the said Colonies, may be exported from Bermuda to Prince Edward's Island, and admitted to Entry on Payment of the same Duty as if imported direct from the said Sugar Colonies; and under the Conditions of 28 Geo. 3. c. 39. may be imported into the said Island without Payment of Duty, in the same manner as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 62. § 1, 2.

See SPIRITS.

7. Fruit,

7. Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe within the said Limits, for Exportation direct to Charlotte Town in Prince Edward's Island, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe with Articles the Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with any of the Goods mentioned in this Act, from Canada, whether the Produce of Canada brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Fruit, Wine, Oil, Salt, or Cork, may be imported from Ports of Europe South of Cape Finisterre.

See CORK.
FRUIT.
OIL.
SALT.
WINE.

8. Any British-built Ship, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the Schedule (B.) annexed to 55 Geo. 3. c. 29. for Exportation direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

Certain Articles may be imported from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

9. Any Article the Production or Manufacture of any of His Majesty's Colonies or Plantations in North America, or any Article which has been legally imported into such Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

Certain Articles may be exported to Malta or Gibraltar.

See GIBRALTAR.
MALTA.

10. Oranges and Lemons, the Growth of the Azores or Madeiras, may be there laden for Exportation direct to any of the British Colonies or Plantations in North America, on board any British Ship navigated and registered according to Law. 57 Geo. 3. c. 89.

Oranges and Lemons may be imported from the Azores or Madeiras.

Prints,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

Provisions.

Bread, Biscuit, and Potatoes may be exported from the United States into the West India Islands and Colonies in Guiana, in British Ships;

1. Bread, Biscuit, and Potatoes, the Production of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama and Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the Province of Guiana; but the said Articles shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

and into Bermuda in Foreign Ships, and exported by British.

2. Bread, Biscuit, and Potatoes, the Production of the said Territories, may be imported from thence into Saint George or Hamilton in Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under Foreign European Sovereigns;

3. No Bread, Biscuit, or Potatoes shall be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

except in case of Distress, for the Supply of the Inhabitants.

4. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commanders in Chief of any of the said Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of Demerara, Berbice, or Essequibo, with the Advice and Consent

Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, and Potatoes, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but the said Articles shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

and from the Portuguese Settlements in South America.

5. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands), or Demerara, Berbice, or Essequibo, any Bread, Biscuit, or Potatoes, being the Growth or Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America, and imported directly from the said Territories or Dominions in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1.

Imported for the Supply of the Inhabitants not to be exported; and Oath to be taken before shipping Articles of the like Denomination.

6. In case any of the said Articles which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, (see No. 4.) shall be exported from any of the said Islands or Colonies, or put on board any Ship, Vessel, or Boat, or brought to any Quay with Intent to be exported, the same shall be forfeited, as also the Ship, Vessel, or Boat in which laden; and before shipping any Article of the like Denomination that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs that the same or any Part thereof had not been so imported under such Authority as aforesaid, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

Taking false Oaths deemed Perjury.

7. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Per-

sons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

May be imported from the United States for the Supply of the Inhabitants of Nova Scotia, &c. in case of Distress.

8. In case of public Emergency or Distress, the respective Governors, Lieutenant Governors, and Commanders in Chief of Nova Scotia or New Brunswick, Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, or Potatoes, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Provinces or Islands; but such Commodities shall not be imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

And in case of Necessity, Bread may be imported for the Supply of the Inhabitants and Fishermen of Newfoundland.

9. His Majesty, by Order in Council to be issued and published, or by Warrant under his Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Bread from any of the Territories belonging to the said United States, for the Supply of the Inhabitants and Fishermen of the said Island, for the then ensuing Season only: but such Bread shall not be imported except in conformity to such Regulations and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof, with the Ship. 28 Geo. 3. c. 6. § 13.

Bread, Biscuit, and Potatoes may be imported to be re-exported from Nova Scotia, &c.

10. Any of the Governors, Lieutenant Governors, or Commanders in Chief for the Time being of Nova Scotia or New Brunswick, or Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, or Potatoes, for a limited Time, from any of the Territories of the United States of America, for the Purpose of being re-exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 8.

May be imported into Ports to be approved of in Nova Scotia or New Brunswick, in Vessels of States in Amity;

11. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed for that Purpose within the Provinces of Nova Scotia or New Brunswick, the following Articles, viz. Bread, Biscuit, and Potatoes; provided that none of the

said

said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong: and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. §1, 2, 3.

upon such Conditions as His Majesty shall think fit.

12. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

13. This Act shall continue in force for the Space of Three Years from and after the passing of the same*, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Bread may be imported into Quebec for the Supply of the Persons carrying on the Fisheries.

14. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Bread as well into Quebec as into all the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories of the United States of America, for the Supply of the Persons employed in or carrying on the Fisheries; but such Bread shall not be imported except in conformity to such Regulations and Restrictions as shall be specified in such Order, and except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 29 Geo 3. c. 16. § 1.

Bread, Biscuit, or Potatoes may be imported into Quebec, &c. for the Supply of the Inhabitants.

15. In case of public Emergency and Distress, the Governor of Quebec, or the Lieutenant Governor or Commander in Chief, with the Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Bread, Biscuit, or Potatoes, for a limited Time, from the United States of America, for the Supply of the Inhabitants of the Province, and of

---

* *8th May* 1818.

the said Countries and Islands within the Government thereof; but the said Articles shall not be imported except by British Subjects in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

By whom Ships and Goods may be seized.

16. The Goods and Ships forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 26 Geo. 3. c. 6. 29 Geo. 3. c. 15. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

Food or Victuals may be imported from Guernsey or Jersey for the Use of the Fisheries.

17. The Inhabitants of Guernsey and Jersey may lade on those Islands, and transport directly to the British North American Colonies where the Fishery is carried on, any Sort of Food or Victuals fit and necessary for the Fishery, or for the Support of the Mariners or Persons on board the Ships or on Shore in carrying on the the said Fishery; such Food or Victuals being the Produce or Manufacture of the said Islands, or of Great Britain or Ireland. 9 Geo. 3. c. 28. § 1.

See GUERNSEY.

JERSEY.

Herrings from the Isle of Man.

18. The Inhabitants of the Isle of Man may export from thence to the British Colonies or Plantations in America, in British-built Ships, owned, navigated, and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

See MAN.

Vessels landing Provisions may import Spirits Duty-free.

19. For the Conditions upon which Vessels which land Provisions at any of the British Sugar Colonies in the West Indies, may import Spirits without Payment of Duty into the following Provinces and Islands belonging to His Majesty, in North America, viz. Canada, Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland, *See* SPIRITS. 28 Geo. 3. c. 39. 30 Geo. 3. c. 8. 51 Geo. 3. c. 62. 53 Geo. 3. c. 37.

Pumice Stone and Punk,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or

to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.
MALTA.

Quebec. See "Canada."

Quicksilver, Raisins, and Rhubarb,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Importation allowed from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

Registry of British Ships.*

1. Every Ship or Vessel having a Deck, or being of the Burthen of Fifteen Tons or upwards, belonging to any of His Majesty's Subjects in Great Britain, Guernsey, Jersey, the Isle of Man, or of any of the Colonies, Plantations, or Territories in Asia, Africa, or America, in the Possession of His Majesty, shall be registered; and the Persons claiming Property therein shall obtain a Certificate of Registry from the Collector and Comptroller of the Customs in Great Britain or the Isle of Man, or from the Governor, Lieutenant Governor, or Commander in Chief, and Principal Officers of the Customs in Guernsey or Jersey, or in any of the said Colonies, Plantations, or Territories; and the Form thereof shall be as follows; viz.

Ships having a Deck, or being of 15 Tons, to be registered.

'IN pursuance of an Act passed in the 26th Year
'of the Reign of King George the Third, intituled
'An Act (here insert the Title of the Act, the Names,
'Occupation, and Residence of the Subscribing

* *A similar Act passed in Ireland for the Registry of Ships in that Part of the Kingdom.—See Irish Act, 27 Geo. 3. c. 23.*

Owners)

'Owners) having taken and subscribed the Oath 'required by this Act, and having sworn that he (or 'they) together with (Names, Occupation, and Residence of Non-subscribing Owners) is (or are) sole 'Owner (or Owners) of the Ship or Vessel called the '(Ship's Name) of (Place to which the Vessel belongs) 'whereof (Master's Name) is at present Master, and 'that the said Ship or Vessel was (when and where built 'or captured, and Date of Condemnation); and (Name 'and Employment of the Surveying Officer) having 'certified to us that the said Ship or Vessel is (whether 'British, Foreign, or British Plantation-built), has '(Number of Decks) Decks and (Number of Masts) 'Masts; that her Length from the Fore-part of the 'Main Stem to the After-part of the Stern Post 'Aloft is (Number of Feet and Inches), her Breadth 'at the broadest Part, whether above or below the 'Main-Wales (Number of Feet and Inches), her 'Height between Decks (Number of Feet and Inches 'if more than One Deck, and if not, then the Depth 'of the Hold, Number of Feet and Inches), and 'admeasures (Burthen) Tons; that she is (Kind of 'Vessel and how built), has (whether any or no Gallery) Gallery and (Kind of Head, if any) Head: 'and the said Subscribing Owners having consented 'and agreed to the above Description and Admeasurement, and having caused sufficient Security to be 'given, as is required by the said Act, the said (Kind 'and Name of the Vessel) has been duly registered 'at the Port of (Name of the Port).

'Given under our Hands and Seals of Office, at 'the Custom-house in the said Port of (Name of 'the Port) this (Date) Day of (Name of the 'Month) in the Year (Words at Length).' 26 Geo. 3. c 60. § 3.

And at the Port to which the Vessel belongs, unless by Order of the Commissioners, except Vessels condemned as Prize in Guernsey, &c.

2. No Registry shall be made in any other Port than that to which the Ship shall belong, (except Ships condemned as Prize in Guernsey, Jersey, or Man, which shall be registered in Manner herein-after directed); and every Register granted in any Port to which any such Ship does not belong, shall be void, unless the Officers shall be specially empowered to grant it in any other Port, by Order under the Hands of any Four of the Commissioners of the Customs in England, or any Three of the Commissioners in Scotland. 26 Geo. 3. c. 60. § 4.

3. The

3. The Port to which any Ship shall be deemed to belong, shall be the Port from and to which she shall usually trade, or (being a new Ship) shall intend to trade, and at or near which the Husband, or acting and managing Owner, usually resides. 26 Geo. 3. c. 60. § 5.

What to be deemed the Port to which a Vessel belongs.

4. No Ship of War or other Vessel the Property of His Majesty or the Royal Family, or any Lighters, Barges, Boats, or Vessels of any Description used solely in Rivers or Inland Navigation, shall be required to be registered. 26 Geo. 3. c. 60. § 6

Exception as to Vessels of the Royal Family, or used solely in Inland Navigation.

5. No Vessel not exceeding 30 Tons, and not having a whole or fixed Deck, and being employed solely in the Fishery on the Banks or Shores of Newfoundland, and of the Parts adjacent, or on the Banks or Shores of Quebec, Nova Scotia, or New Brunswick, adjacent to the Gulf of Saint Lawrence, and to the North of Cape Canso, or of the Islands within the same, or in trading Coastwise within the said Limits, shall be subject to be registered. 27 Geo. 3. c 19. § 8.

Also as to certain Vessels employed in Fishing or in the Coast Trade in the North American Colonies.

6. No Subject of His Majesty whose usual Residence is in any Country not under the Dominion of His Majesty, shall be entitled (during the Time he shall continue so to reside) to be the Owner in whole or in part of any British Ship required to be registered, unless he be a Member of some British Factory, or Agent for or Partner in any House or Copartnership actually carrying on Trade in Great Britain or Ireland. 26 Geo. 3. c. 60. § 8

Owners residing in Countries not under the Dominion of His Majesty.

7. No Registry shall be made until the following Oath be taken, before the Persons authorized to make Registry, by the Owner, if owned by One Person, or if Two Owners, then by both, if both resident within Twenty Miles of the Port where such Register is required, or by one if one or both of them shall be resident at a greater Distance from such Port; or if the Number of Owners shall exceed Two, then by the greater Part, if the greater Number shall be resident within Twenty Miles of such Port, not in any Case exceeding Three, or by one of such Owners if all shall be resident at a greater Distance.

Oath to be taken by the Owners or a certain Number of such Owners.

'I A. B. of (Place of Residence and Occupation), 'do make Oath that the Ship or Vessel (Name) of '(Port or Place) whereof (Master's Name) is at 'present Master; being (Kind of Built, Burthen, &c. 'as described in the Certificate of the Surveying 'Officer), was (when and where built, or if Prize,

'Capture

'Capture and Condemnation); and that I the said 'A. B. (and the other Owners Names and Occupations if any, and where they respectively reside, 'videlicet, Town, Place, or Parish, and Country; or 'if Member of and resident in any Factory in Foreign 'Parts, or in any For n Town or City, being an 'Agent for or Partner in any House or Copartnership actually carrying on Trade in Great Britain or 'Ireland, the Name of such Factory, Foreign Town, 'or City, and the Names of such House or Copartnership) am (or are) sole Owner (or Owners) of the 'said Vessel; and that no other Person or Persons 'whatever hath or have any Right, Title, Interest, 'Share or Property therein or thereto; and that I the 'said A. B. (and the said other Owners, if any) am (or 'are) truly and bonâ fide a Subject (or Subjects) of Great 'Britain; and that I the said A. B. have not (nor 'have any of the other Owners to the best of my 'Knowledge and Belief) taken the Oath of Allegiance 'to any Foreign State whatever, (except under the 'Terms of some Capitulation, describing the Particulars thereof,) or that since my taking (or his or 'their taking) the Oath of Allegiance to (naming the 'Foreign States respectively to which he or any of 'the said Owners shall have taken the same), and 'prior to the passing of an Act in the Twenty-sixth 'Year of the Reign of King George the Third, intituled 'An Act for the further Increase and Encouragement of Shipping and Navigation,' I have (or 'he or they hath or have) become a Subject (or Subjects) of Great Britain, (either by His Majesty's 'Letters Patent as a Denizen or Denizens, or naturalized by Act of Parliament, as the Case may be, 'naming the Dates of the Letters of Denization, or 'the Act or Acts of Parliament for Naturalization, 'respectively), or (as the case may be) I have (or he or 'they hath or have) become a Denizen (or Denizens, 'or naturalized Subject or Subjects, as the case may 'be) of Great Britain, by His Majesty's Letters 'Patent, or by an Act of Parliament passed since 'the First Day of January One thousand seven hundred and eighty-six, (naming the times when such 'Letters of Denization have been granted respectively, 'or the Year or Years in which such Act or Acts for 'Naturalization have passed respectively); and that

'no

'no Foreigner, directly or indirectly, hath any Share 'or Part or Interest in the said Ship or Vessel.' 26 Geo. 3. c. 60. § 10.

What shall not be deemed an Oath of Allegiance to a Foreign State.

8. Any Oath taken for the sole Purpose of acquiring the Rights of a Citizen or Burgher in any Foreign City or Town in Europe, to be enjoyed during the Time that the Person taking such Oath shall reside in such City or Town, and for a limited Time after such Residence shall have expired, shall not be deemed an Oath of Allegiance to a Foreign State. 27 Geo. 3. c. 19. § 4.

Addition to the Oath when there are more than Three Owners.

9. In case the Number of joint Owners shall amount to Three or more, and Three shall not personally attend to take the Oath, then such Owners as shall attend shall further make Oath that the Part Owners then absent are not resident within Twenty Miles of such Port, and have not (to the best of their Knowledge or Belief) wilfully absented themselves to avoid taking the Oath, or are prevented by Illness from attending. 26 Geo. 3. c. 60. § 11.

Who may take the Oath if Ships belong to Corporate Bodies.

10. On obtaining Registry of a Ship belonging to the East India Company, or other Body Corporate, the Oath may be taken by the Secretary of such Company, &c. or any other Officer authorized by them, as follows; videlicet,

'I A. B. Secretary or Officer (Name of Company 'or Corporation) do make Oath that the Ship or 'Vessel (Name) of (Port or Place) whereof (Master's 'Name) is at present Master, being (Kind of Built, 'Burthen, &c. as described in the Certificate of the 'Surveying Officer) was (when and where built, or if 'Prize, Capture and Condemnation); and that the 'same doth wholly and truly belong to (Name of 'Company or Corporation.)' 27 Geo. 3. c. 19. § 5.

Ships built in North America for European Owners, the Husband or Agent may take the Oath.

11. Ships built in Newfoundland, and in those Parts of Quebec, Nova Scotia, and New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, on account of Owners residing in His Majesty's European Dominions, may be registered in Newfoundland and its Dependencies, or in the Ports of Quebec, Nova Scotia, or New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, upon the principal Husbands or Agents of the Ships taking the Oath required instead of the Owners; and the Certificates granted shall be of the like Force as if granted upon the Oath of the Owners, until

until such Ships arrive in some Port of His Majesty's European Dominions, where they may be registered upon the Oath of the Owners; and whenever such Ships shall first arrive in any such Port of His Majesty's Dominions, the Register granted in pursuance of this Act shall be void, and be delivered up to be cancelled, and such Ships shall be registered de novo, upon the Oath of the Owners, and the other Requisitions of 26 Geo. 3. c 60. being complied with. 27 Geo 3. c. 19. § 9.

Ships to be examined and admeasured by skilful Persons, who are to deliver a Certificate of the Built, &c.

12. Persons appointed by the Commissioners of the Customs, or by the Governor, Lieutenant Governor, or Commander in Chief in Guernsey, Jersey, and Man, or of the Colonies, Plantations, or Territories, taking to their Assistance (if they shall judge it necessary) any Person skilled in the Building and Admeasurement of Ships, shall accurately examine and admeasure every Ship as to every Particular contained in the Form of the Certificate, in the Presence of the Master or of any Person who shall be appointed for that Purpose on the Part of the Owners, or in their Absence by the Master, and shall deliver a true Account in Writing of such Particulars, of the Built, Description, and Admeasurement, as are specified in the Form of the Certificate, to the Person authorized to make Registry; and the Master or Person attending shall sign his Name to the Certificate of such surveying or examining Officer, in Testimony of the Truth thereof, provided he shall agree to the Particulars described therein. 26 Geo. 3. c. 60. § 12.

Persons giving false Descriptions or making false Registers.

13. Any Person so appointed who shall wilfully deliver to any Person authorized to make Registry a false Description of any of the Particulars required, or any Person authorized to make Registry who shall knowingly make any false Register, or grant any false Certificate in regard to the Particulars required, on being convicted in any of His Majesty's Courts of Record at Westminster, in the Court of Justiciary or the Court of Exchequer in Scotland, or in any Court of Record in the Colonies, Plantations, or Territories, or in the Royal Court in Guernsey or Jersey, or in the Superior Court of Justice in the Isle of Man, shall forfeit £100, and be incapable of holding any Office or Employment under His Majesty. 26 Geo. 3. c. 60. § 13.

How Tonnage to be ascertained

14. The Tonnage of any Ship, when afloat, shall be ascertained by the following Method, viz.

'Drop

'Drop a Plumb Line over the Stern of the Ship, and 'measure the Distance between such Line and the 'After-part of the Stern Post at the Load Water 'Mark; then measure from the Top of the said 'Plumb Line in a parallel Direction with the 'Water, to a perpendicular Point immediately over 'the Load Water Mark at the Fore-part of the 'Main Stem, substracting from such Measurement 'the above Distance, the Remainder will be the 'Ship's extreme Length, from which is to be de-'ducted Three Inches for every Foot of the Load 'Draught of Water for the Rake abaft, and also 'Three Fifths of the Ship's Breadth for the Rake 'forward, the Remainder shall be esteemed the 'just Length of the Keel to find the Tonnage; and 'the Breadth shall be taken from Outside to Out-'side of the Plank in the broadest Part of the Ship, 'either above or below the Main Wales, exclusive 'of all Manner of Sheathing or Doubling that may 'be wrought upon the Side of the Ship; then mul-'tiplying the Length of the Keel for Tonnage by 'the Breadth so taken, and that Product by Half 'the Breadth, and dividing by Ninety-four, the 'Quotient shall be deemed the true Contents of 'the Tonnage.'

Not to alter the Manner of Admeasurement to ascertain Duties.

Provided always, that nothing herein-before contained shall in anywise be construed to alter the Manner of Admeasurement of the Tonnage of any Ship heretofore practised for ascertaining the Light Duties, or other Duties or Imposts whatever payable according to the Tonnage of any Ship or Vessel. 26 Geo. 3. c. 60. § 14.

Bond to be given that the Certificate shall only be used for the Ship for which granted, and shall be delivered up when the Ship is sold, &c.

15. At the Time of Registry, sufficient Security by Bond shall be given to His Majesty by the Master, and such of the Owners as shall personally attend, such Security to be approved of and taken by the Person authorized to make Registry, in the Penalties following; (that is to say), if a Decked Vessel, or above 15 Tons and not exceeding 50 Tons, in £100; if exceeding 50 Tons and not exceeding 100 Tons, in £300; if exceeding 100 Tons and not exceeding 200 Tons, in £500; if exceeding 200 Tons and not exceeding 300 Tons, in £800; and if exceeding 300 Tons, in £1000; and the Condition of every Bond shall be, that such Certificate shall not be sold, lent, or otherwise disposed of to any Person, and that the same shall be solely made use of for the Service

vice of the Ship for which it is granted; and that in case such Ship shall be lost or taken by the Enemy, burnt or broken up, or otherwise prevented from returning to the Port to which she belongs, the Certificate, if preserved, shall be delivered up within One Month after the Arrival of the Master in any Port or Place in His Majesty's Dominions, to the Collector and Comptroller of some Port in Great Britain, or of the Isle of Man, or of the British Plantations, or to the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or Jersey; and that if any Foreigner, or any Person for his Use and Benefit, shall purchase or otherwise become entitled to the Whole or any Part or Share of, or any Interest in such Ship, and the same shall be within the Limits of any Port in Great Britain, Guernsey, Jersey, Man, or the British Colonies, Plantations, Islands, or Territories aforesaid, then the Certificate of Registry shall, within Seven Days after such Purchase or Transfer of Property, be delivered up to the Person authorized to make Registry at such Port; and if such Ship shall be in any Foreign Port when such Transfer of Property shall take place, then that the same shall be delivered up to the British Consul or other Chief British Officer resident at or nearest to such Foreign Port; or if such Ship shall be at Sea when such Transfer of Interest or Property shall take place, then that the same shall be delivered up to the British Consul or Chief British Officer at the Foreign Port or Place in or at which the Master shall first arrive after such Purchase or Transfer of Property at Sea, immediately after his Arrival at such Foreign Port; but if such Master, who had the Command at the Time of such Purchase or Transfer of Property at Sea, shall not arrive at a Foreign Port, but at some Port of Great Britain, Guernsey, Jersey, Man, or His Majesty's said Colonies, Plantations, Islands, or Territories, then that the same shall be delivered up in Manner aforesaid, within Fourteen Days after the Arrival of such Ship, or of the Person who had the Command thereof, in any Port of Great Britain, Guernsey, Jersey, Man, or any of His Majesty's said Colonies, Plantations, Islands, or Territories; and that if any Mediterranean Pass shall have been obtained for any such Ship, then that the same shall be delivered up at the same Time with the Certificate of Registry, to the Person authorized to receive such Certificate; and such Certificates so delivered up shall forthwith

Mediterranean Passes to be delivered up with Certificates.

with be transmitted to the Commissioners of the Customs in England and Scotland, and such Mediterranean Pass shall be transmitted to the Commissioners of the Admiralty, in order that the same may be cancelled. 26 Geo. 3. c. 60. § 15.

The Bond may be taken before such Persons as Commissioners may judge fitting.

16. The Commissioners of the Customs, or the Governor or Lieutenant Governor, or Commander in Chief of any of the Colonies, Plantations, or Territories belonging to His Majesty, in Asia, Africa, or America, in any Case where it shall appear to them expedient, may permit the said Bond to be taken before any Person and in such Manner as they shall judge fitting, and such Bond shall be of the like Force as if taken by Persons authorized to make Registry. 27 Geo. 3. c. 19. § 6.

Upon the Change of Masters, fresh Bond to be given.

17. When the Master of any Ship registered shall be changed, the Person who shall become Master shall give Security by Bond under the Penalties and Conditions of 26 Geo. 3. c. 60. and this Act; and on such fresh Security being given, and being made to appear by Endorsement on the original Bond, by the Officers in whose Custody it shall be, such original Bond (so far as it relates to the former Master) shall from thenceforth be void, except with respect to any Breach of the Conditions which may have been committed before such Endorsement. 27 Geo. 3. c. 19. § 7.

If transferred to another Port, to be registered de novo; and a Sale in the same Port to be acknowleged by Endorsement.

18. Upon any Transfer of Property to another Port, the Ship shall be registered de novo, upon delivering up the former Certificate to be cancelled; and in case there is any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship after registering thereof, such Sale shall be acknowledged by Endorsement on the Register before Two Witnesses, in order to prove that the entire Property in such Ship remains to the Subjects of England, if any Dispute arises concerning the same. 7 & 8 W. 3. c. 22. § 21.

Addition to the Endorsement on Alteration of the Property in the same Port.

19. In every Case of any Alteration of the Property in any Ship, in the same Port to which she belongs, besides the Endorsement required by 7 & 8 Wm. 3. c. 22., there shall also be endorsed on the Certificate of Registry, before Two Witnesses, the Town, Place, or Parish where every Person to whom the Property or any Part thereof shall be so transferred shall reside; or if such Person usually resides in any Country not under the Dominion of His Majesty, but in some British Factory, the Name

of such Factory of which such Person is a Member; or if such Person resides in any Foreign Town or City, and is not a Member of some British Factory, the Name of such Foreign Town or City where such Person usually resides; and also the Names of the House or Copartnership in Great Britain or Ireland for or with whom such Person is Agent or Partner, shall be endorsed on the Certificate; and the Person to whom the Property shall be so transferred shall also deliver a Copy of such Endorsement to the Persons authorized to make Registry and grant Certificates of Registry, who are required to cause an Entry thereof to be endorsed on the Oath or Affidavit upon which the original Registry was obtained; and make a Memorandum of the same in the Book of Registers, and forthwith give Notice thereof to the Commissioners of the Customs in England or Scotland. 26 Geo. 3. c. 60. § 16.

Copy to be delivered to the Officers.

Certificate to be recited in the Bill of Sale.

20. When the Property in any Ship belonging to any of His Majesty's Subjects shall be transferred to any other of His Majesty's Subjects, in whole or in part, the Certificate of the Registry of such Ship shall be truly and accurately recited in Words at Length in the Bill or Instrument of Sale; otherwise such Bill or Instrument of Sale shall be null and void. 26 Geo. 3. c. 60. § 17.

Transfers void, if not in Writing.

21. No Transfer, Contract or Agreement for Transfer of Property in any Ship, shall be valid for any Purpose whatever, either in Law or Equity, unless such Transfer shall be by Bill of Sale or Instrument in Writing containing the Recital of the Register in Words at Length. 34 Geo. 3. c. 68. § 14. 42 Geo. 3. c. 61. § 16.

On Alteration of Property in the same Port, the Endorsement on the Register to be in the Form herein mentioned.

22. Upon any Alteration of Property in any Ship in the same Port to which she belongs, an Endorsement on the Register shall be made in the following Form, and be signed by the Person transferring the Property, or by some Person legally authorized for that Purpose; and a Copy of such Endorsement shall be delivered to the Person authorized to grant Registry; otherwise such Sale, or Contract or Agreement for Sale, shall be void; and such Persons authorized to grant Registry are to cause an Entry thereof to be endorsed on the Oath upon which the Original Certificate was obtained, and to make a Memorandum of the same in the Book of Registry, and give Notice thereof to the Commissioners of the Customs.

Form

Form of Endorsement on Change of Property.

'BE it remembered, that (I or we) (Names, Residence, and Occupation of the Persons selling) have this Day sold and transferred all (my or our) Right, Share, or Interest in and to the Ship or Vessel (Name of the Ship or Vessel) mentioned in the within Certificate of Registry unto (Names, Residence, and Occupation of the Purchasers.) Witness (my or our Hand or Hands) this (in Words at full Length).

'Signed in the Presence of (Two Witnesses).'

34 Geo. 3. c. 68. § 15. 42 Geo. 3. c. 61. § 17.

If Ship at Sea, a Copy of the Bill of Sale to be delivered to the Officers, and the Endorsement to be made on the Ship's Return.

23. But if any Ship shall be at Sea, or absent from the Port to which she belongs, at the Time when such Alteration in the Property shall be made, so that an Endorsement or Certificate cannot be immediately made, the Sale, or Contract or Agreement for the Sale thereof, shall notwithstanding be made by Bill of Sale, or other Instrument in Writing, as before directed, and a Copy of such Bill of Sale or Instrument shall be delivered, and an Entry thereof be endorsed on the Oath, and a Memorandum thereof be made in the Book of Registry, and Notice of the same shall be given to the Commissioners of the Customs; and within Ten Days after such Ship shall return to the Port to which she belongs, an Endorsement shall be made and signed by the Owner, or some Person legally authorized for that Purpose, and a Copy thereof shall be delivered in manner before mentioned, otherwise such Bill of Sale, or Contract or Agreement for Sale, shall be void; and Entry thereof shall be endorsed, and a Memorandum thereof made, in the manner before directed. 34 Geo. 3. c. 68. § 16. 42 Geo. 3. c. 61. § 18.

Regulations for the Transfer, where the Owners reside out of the King's Dominions.

24. Where the Owners of any Ship shall reside in any Country not under the Dominion of His Majesty, as Member of some British Factory, or Agent for or Partner in any House carrying on Trade in Great Britain or Ireland, at the Time when he shall transfer such Property, so that an Endorsement cannot be immediately made, nor a Copy of such Bill of Sale or Instrument in Writing be delivered, nor an Entry thereof endorsed on the Oath, nor a Memorandum thereof made in the Book of Registers, nor Notice of the same given to the Commissioners of the Customs, the same may be done at any

Time within Six Months after such Transfer; and within Ten Days * after such Owner, or some Person legally authorized for that Purpose, shall arrive in this Kingdom, if such Ship shall then be in any Port of this Kingdom; and if not, then within Ten Days after such Ship shall so arrive, an Endorsement shall be made by the Owner, or some Person legally authorized, and a Copy thereof shall be delivered in manner before mentioned, otherwise such Bill of Sale, or Contract or Agreement, shall be void; and Entry thereof shall be endorsed, and a Memorandum thereof made, in the manner before directed. 34 Geo. 3. c. 68. § 17. 42 Geo. 3. c. 61. § 19.

On Registry de novo, Bills of Sale to be produced, unless dispensed with by the Commissioners.

25. When the Property in any Ship belonging to His Majesty's Subjects shall by Sale be transferred in whole or in part to any other of His Majesty's Subjects, and such Ship shall be required to be registered de novo, the Officer empowered to make Registry may require the Bill or Instrument of Sale to be produced; and in case such Bill or Instrument shall not be produced, the Officer shall not grant a Certificate of Registry de novo, but the Commissioners of the Customs, and the Governor, Lieutenat Governor, or Commander in Chief of Guernsey, Jersey, or of any British Plantation, if Application shall be made to any of them, upon due Consideration of the Case, may give Directions for registering such Ship de novo, notwithstanding such Bill or Instrument of Sale shall not have been produced, provided all other Regulations required by Law be complied with. 34 Geo. 3. c. 68. § 20. 42 Geo. 3. c. 61. § 22.

On Alterations of Property in the same Port, the Owners whose Property is not transferred may have the Ship registered de novo.

26. In case there shall be any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship, after registering thereof, and the Owners who are Owners thereof at the Time such Ship was last registered, or whose Property therein has not been so transferred, shall be desirous of having the Ship registered de novo, the Officers may register such Ship de novo, provided all the Requisites of the Laws concerning the Registry de novo be complied with. 34 Geo. 3. c. 68. § 21. 42 Geo. 3. c. 61. § 23.

---

* *The Act* 42 *Geo.* 3. c. 61. *as to Ships arriving in Ireland, allows* 20 *Days after the Arrival of the Ship, or the Owner, for making the Endorsement and delivering the Copy to the Officers.*

27. As

27. As often as any Transfer of Property in any Ship shall be made while upon the Sea, on a Voyage to a Foreign Port, in case the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship shall proceed directly to the Port for which the Cargo is destined, or to the Port to which she belongs, or any other Port in which she may be registered, and may take on board, in the Port for which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as shall be destined and may be legally carried to the Port where she may be registered de novo; and if such Transfer shall be made while such Ship is in any Foreign Port, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having delivered the Cargo, shall sail from such Port to the Port to which she belongs, or to any other such Port in which she may be registered, and may take on board at the Port to which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as shall be destined and may be legally carried to such Port where she may be registered de novo; and if such Transfer shall be made while such Ship is on a Fishing Voyage, and the Master of such Ship is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having finished fishing, without touching at any Foreign Port, except for Repairs or Refreshments, or for delivering any Part of the Cargo, shall sail to the Port to which she belongs, or any other Port where she may be registered, and may take on board at the Foreign Port last described, or any other Port, being in the Course of her Voyage to the Port where she may be registered de novo, such Cargo as shall be destined and may be legally carried to such Port; and such Ship shall be registered de novo as soon as she returns to the Port to which she belongs, or to any other Port in which she may be registered; on failure whereof such Ship shall be deemed to be a Foreign Ship, and shall not again be registered, unless the Commissioners of the Customs, or the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or Jersey, or of any British Plantation, shall, on Consideration of the special Circumstances of the Case, think fit to order

As soon as the Transfer of Property in a Ship at Sea is known to the Master, he must proceed direct to a Port where she may be registered de novo; on failure whereof she is to be deemed Foreign, and not again registered, unless by special Order.

the said Ship to be registered: provided that the Regulations required by the Laws in force concerning the first Registry of Ships shall be complied with; and provided also, that in no case of the Transfer of Property, in whole or in part, the Ship shall be registered de novo, unless she shall return to the Port to which she belongs, or to such Port in which she may be registered de novo, within Twelve Months after the Date of such Transfer, if such Ship shall not be on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn; or within Two Years if the Ship is on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, at the Time of such Transfer taking place; except by Order of the Commissioners or Governor as aforesaid, upon special Representation of the Circumstances of the Case, in Manner before authorized. 34 Geo. 3. c. 68. § 22. 42 Geo. 3. c. 61. § 24.

Change of Masters to be endorsed on the Certificate, and Memorandum made in the Book of Registers.

28. As often as the Master of any Ship registered shall be changed, the Master or Owner shall deliver to the Persons authorized to make Registry, at the Port where such Change shall take place, the Certificates of Registry, who shall thereupon endorse and subscribe a Memorandum of such Change, and forthwith give Notice of the same to the proper Officer of the Port where such Ship or Vessel was last registered, who shall likewise make a Memorandum of the same in the Book of Registers, and forthwith give Notice thereof to the Commissioners of the Customs. 26 Geo. 3. c. 60. § 18.

Ship's Name not to be changed, and the same is to be painted on some Part of the Stern, as also the Port to which she belongs.

29. No Owner of any Ship shall give any Name to such Ship, other than that by which she was first registered; and the Owner of every Ship which shall be so registered, shall, within One Month from the Time of such Registry, cause to be painted in White or Yellow Letters, of a Length not less than Four Inches, upon a Black Ground, on some conspicuous Part of the Stern, (provided there shall be sufficient Space for that Purpose, but if not, then in Letters as large as such Space will admit), the Name by which such Ship shall have been registered, and the Port to which she belongs, in a distinct and legible Manner, and keep and preserve the same; and if such Owner or Master shall wilfully alter, erase, obliterate, hide, or conceal, or cause or procure or permit the same to be done (unless in the Case of square-rigged Vessels in Time of War), or shall in any written or printed Paper, or other Document, describe such Ship by any

any Name other than that by which she was first registered, or shall verbally describe, or cause or procure or permit such Ship to be described, by any other Name to any Officer of the Revenue, such Owner or Master shall forfeit £100. 26 Geo. 3. c. 60. § 19.

Before Registry in Great Britain, &c. Particulars to be produced from the Builder, and Oath to be made of the Identity.

30. Every Person who shall apply for a Certificate of the Registry of any Ship in Great Britain, Guernsey, Jersey, or the Isle of Man, shall produce to the Person authorized to grant the Certificate a true and full Account, under the Hand of the Builder, of the proper Denomination, and of the Time when and the Place where built, and also an exact Account of the Tonnage, with the Name of the first Purchaser, (which Account such Builder is required to give under his Hand on the same being demanded by such Persons so applying for a Certificate as aforesaid), and shall make Oath before the Person authorized to grant such Certificate, that the Ship for which such Certificate is required is the same with that which is so described by the Builder. 26 Geo. 3. c. 60. § 20.

The like Account and Oath to be required in the Colonies.

31. Every Person who shall apply for such Certificate in any of His Majesty's Colonies, Plantations, or Territories, shall, before such Certificate is granted, produce the like Account under the Hand of the Builder, and take the like Oath, as required to be produced and taken by Persons applying for the like Certificate in Great Britain. 26 Geo. 3. c. 60. § 21.

When Certificates are lost, and the Ship is in the Plantations, the Oath herein mentioned to be taken by the Master.

32. If any Ship duly qualified to trade to, from, and in His Majesty's said Plantations, shall be in any of the said Plantations, and the Certificate of the Register thereof shall be lost or mislaid, the Master may make Oath (or being a Quaker a solemn Affirmation) before the Governor or Collector of the Customs in the Port where the Ship shall happen to be, in the following Form:

'A. B. being Master (or having the Charge) of the
'Ship or Vessel called the does swear
'(or solemnly affirm) that the said Ship or Vessel
'has been, as he verily believes, registered according
'to Law, to qualify her to trade to, from, and in His
'Majesty's Plantations in America; and that he had
'a Certificate thereof granted at the Port of
'but that the same is lost or mislaid, and that he
'cannot find the same, and does not know where the
'same is, or what is become thereof, and that the
'same hath not been nor shall be, with his Privity

'or Knowledge, sold or disposed of to any Person 'or Persons whatsoever; and that he this Deponent '(or Affirmant) and Three-fourths of the Mariners 'navigating the said Ship or Vessel are His Majesty's 'British Subjects; and the said Ship or Vessel does 'now, as he believes, belong wholly to His Majesty's 'British Subjects, and that no Foreigner has, to his 'Knowledge or Belief, any Share, Property, or In-'terest therein.' 15 Geo. 2. c. 31. § 2.

Upon the Master giving Security and making Oath as to the Property, the Governor may grant a Certificate to entitle the Ship to trade for that Voyage only.

33. The Master shall then give Security as directed by 26 Geo. 3. c. 60. to the Collector of the Port where the Ship shall be, with Condition that the Ship was duly registered according to Law, for qualifying the same to trade to, from, and in His Majesty's Plantations in America, that the Register, if found, shall be delivered up to the Commissioners of the Customs to be cancelled, that no illegal Use has been or shall be made thereof, that the same has not been and shall not be fraudulently disposed of, that the Ship does wholly belong to British Subjects, and that no Foreigner has any Share, Property, or Interest therein; and upon making such Oath (or Affirmation if a Quaker) and giving such Bond, the Governor and Collector of the Customs shall without Fee or Reward give the Master a Certificate, under their Hands and Seals, of his having given such Bond and made such Oath or Affirmation; and thereupon the Ship shall have Liberty to trade, for that Voyage only, in the same Manner as if the original Certificate had been produced, and the Oath or Affirmation required by 26 Geo. 3. c. 60. (see No. 7.) had been taken and the Certificate so to be given shall have the same Effect, during the Voyage only, as if the original Certificate had been produced; and the Officers taking the Oath and Bond shall transmit an Account thereof to the Commissioners of the Customs. 15 Geo. 2. c. 31. § 2. 26 Geo. 3. c. 60.

If the Loss of the Certificate is proved by the Master and one of the Owners, and Security given, the Ship may be registered de novo.

34. If the Certificate of Registry of any Ship shall be lost, and the Master and One or more of the Owners shall make Proof, to the Satisfaction of the Commissioners of the Customs, in case the Owners or any of them shall reside in Great Britain or Ireland, Guernsey or Jersey, or of the Governor or Collector of the Customs residing in any of His Majesty's Plantations in America in case she was registered in such Plantation, and none of the Owners shall reside in Great Britain or Ireland,

Guernsey or Jersey, of the Loss of such Certificate, and likewise of the Name, Burthen, Built, Property, and other Particulars inserted in such Certificate; and upon Security being given as directed by 26 Geo. 3. c. 60., that the original Certificate hath not been nor shall be fraudulently disposed of, or used contrary to Law, and that the same, when found, shall be delivered up to the Commissioners of the Customs to be cancelled; in such Case the Commissioners of the Customs, and the Governor and Collector of the Customs residing at the Plantations, shall permit the said Ship to be registered de novo, upon the like Oath being taken and subscribed by the Owner or Owners as is directed by 26 Geo. 3. c. 60., and shall deliver a Certificate thereof to the Owners registering the same, in the Manner directed by the said Act, and therein mention the Name by which the Ship was registered, and that such Certificate of a new Register is granted instead of a former Certificate which appears to be lost; and such new Register and Certificate shall have the same Effect as an original Register and Certificate; and a Duplicate thereof shall be transmitted by the Officers who shall grant the same to the Commissioners of the Customs. 15 Geo. 2. c. 31. § 3. 26 Geo. 3. c. 60.

Ships altered must be registered de novo.

35. If any Ship after she shall have been registered shall in any Manner be altered in Form or Burthen, by being lengthened or built upon, or shall be altered from a Sloop to a Brigantine, or from any one Denomination to another, by the Mode or Method of rigging or fitting, in such Case such Ship shall be registered de novo, as soon as she returns to the Port to which she belongs, or to any other Port in which she may be legally registered; on Failure whereof such Ship shall to all Intents and Purposes be deemed and taken to be a Foreign Ship. 26 Geo. 3. c. 60. § 24.

Before Registry of Ships condemned as Prize, a Certificate thereof must be produced under the Hand and Seal of the Judge.

36. The Owners of all Ships taken by any of His Majesty's Ships or Vessels of War, or by any Private or other Ship, and condemned as lawful Prize in any Court of Admiralty, shall, upon registering such Ship, produce to the proper Officer of the Customs a Certificate of the Condemnation under the Hand and Seal of the Judge of the Court in which such Ship shall have been condemned (which Certificate such Judge is required to grant), and shall also produce a true and exact Account in Writing of all the Particulars contained in the Certificate

Certificate herein-before set forth, to be made and subscribed by one or more skilful Persons to be appointed by the Court to survey such Ship, and shall also make Oath before the said Officer that such Ship is the same mentioned in the Certificate of the Judge aforesaid *. 26 Geo. 3. c. 60. § 25.

Prizes registered in the Colonies, an Account of the Sum for which the Ship was sold to be subjoined to the Certificate.

37. In all cases where any Ship so taken and condemned as Prize in any of His Majesty's Colonies, Plantations, or Territories aforesaid, shall be registered, an exact and particular Account shall be subjoined to such Certificate, of the Sum for which such Ship shall have been sold, verified by the Oath of the Persons who shall apply for such Registry, in order that the Duties payable to His Majesty may be the better levied and collected upon the Arrival of such Ship in any Port of Great Britain where such Duties are payable. 26 Geo. 3. c. 60. § 27.

Certificates to express where the Ship was built.

38. The Certificate shall distinguish whether the Ship is of the Built of Great Britain or Ireland, Guernsey, Jersey, or the Isle of Man, or the Colonies, Plantations, Islands, or Territories aforesaid, or of any Foreign Country; and shall, if British-built, be intituled "Certificate of British Plantation Registry;" and if Foreign-built, shall be intituled "Certificate of Foreign Ships Registry, for the European Trade, British Property †." 26 Geo. 3. c. 60. § 28.

The Certificate to be produced to the Officers and British Consuls.

39. The Master of every Ship which shall have procured a Certificate of the Registry, shall upon Demand produce such Certificate to the principal Officers of every Port in His Majesty's Dominions, or to the British Consul or Chief British Officer in any Foreign Port in which such Ship shall arrive, for the Inspection of such Officer or Officers, British Consul, or Chief British

---

* *The 26th Section applies only to Ships condemned as Prize in Guernsey, Jersey, and Man.*

† *The 29th, 30th, 31st, 32d, and 33d Sections apply only to Ships which were in Existence when the Act passed, and which having been registered under former Laws, or required to be registered by the new Law (26 Geo. 3. c. 60.), were within certain Periods, after the Expiration of a Notice by the Commissioners of the Customs, to be registered, and to obtain Certificates thereof according to the Form and in the Manner herein-before described.*

The Certificates having been taken out as required by the Commissioners Notice, there remain no Ships to which those Sections any longer apply, and their Insertion is therefore unnecessary.

Officer,

Officer, in order to satisfy him or them that she has been properly registered, under the Penalty of £100. 26 Geo. 3. c. 60. § 34.

To be progressively numbered and entered in a Book.

40. The proper Officer at every Port where Registers and Certificates shall be granted, shall progressively number the same, beginning such progressive Numeration at the Commencement of each Year, and shall enter an exact Copy of such Certificates with the Number thereof in a Book, and shall also within One Month transmit to the Commissioners of the Customs a true Copy, together with the Number of every Certificate which shall be so granted; and if any such Officer shall neglect or refuse so to do, he shall for the First Offence forfeit £100, and for the Second Offence £200, and be dismissed from his Office. 26 Geo. 3. c. 60. § 35.

Copies of Certificates to be transmitted from Scotland yearly.

41. The Commissioners of the Customs in Scotland shall transmit, at the End of every Month in each Year, to the Commissioners of the Customs in England, true Copies of all such Certificates as shall be granted by them, or by any Officer within the Limits of their Commission. 26 Geo. 3. c. 60. § 36.

Fees payable on Registry.

42. The Fees now payable upon the Registry of or Transfer of Property in any Ship, shall continue to be paid as heretofore, except upon the First Registry of any Ship or Vessel built and registered before the 1st May 1786.* 26 Geo. 3. c. 60. § 37.

Penalty on Persons neglecting to perform Acts required of them.

43. Any Person required by this Act, in respect of his Office, to perform any thing required to be done pursuant to any of the Provisions of this Act, who shall wilfully neglect or refuse to do or perform the same, shall, on being duly convicted thereof, forfeit £500; and for the Second Offence £500, and be rendered incapable of serving His Majesty in any Office or Employment relative to the Revenue, or in any Civil Capacity. 26 Geo. 3. c. 60. § 40.

---

* *The 38th and 39th Sections apply only to Ships and Vessels to which Registers had been promised by the Officers of the Customs, or which had been registered under Misconception of the Laws; and His Majesty, with the Advice of the Privy Council, was authorized to order such Ships to be registered, and have a Certificate thereof, according to the Form and in the Manner hereinbefore directed; those Sections are therefore omitted.*

44. Any

Taking false Oaths, or counterfeiting Certificates, or making use thereof.

44. Any Person who shall falsely make Oath to any of the Matters before required to be so verified, shall suffer the like Pains and Penalties as are incurred by Persons committing wilful and corrupt Perjury; and if any Person shall counterfeit, erase, alter, or falsify any Certificate required or directed to be obtained by this Act, or shall knowingly or wilfully make use of any Certificate so counterfeited, erased, altered, or falsified, shall forfeit £500. 26 Geo. 3. c. 60. § 41.

How Penalties and Forfeitures are to be recovered and disposed of.

45. The Penalties and Forfeitures incurred by this Act shall and may be sued for, prosecuted, and recovered in such Courts, and be disposed of in such Manner, and by such Ways, Means, and Methods, as any Penalties or Forfeitures inflicted or which may be incurred for any Offences committed against the Laws of Customs may now be legally sued for, prosecuted, recovered, and disposed of; and the Officer concerned in Seizures or Prosecutions under this Act, shall receive the same Share of the Produce arising from such Seizures, as in the Case of Seizure for unlawful Importation, and to such Share of any pecuniary Penalty for any Offence against this Act, as any Officer is now by any Law or Regulation entitled to under Prosecutions for pecuniary Penalties. 26 Geo. 3. c. 60. § 42.

Former Acts as to Trade, &c. not expressly altered, to remain in force.

46. Every Matter contained in any Act passed touching the Trade, Shipping, and Navigation of Great Britain, and the Colonies, Plantations, Islands, and Territories aforesaid thereunto belonging, which is not hereby expressly altered or repealed, shall continue in full force, and so far as the same relate to the Registry of Ships and Vessels, shall be deemed to extend to all Ships authorized and required by this Act to be registered, and to have Certificates of Registry. 26 Geo. 3. c. 60. § 43.

Registered in Ireland.

47. Ships registered in Ireland shall enjoy the same Privileges as are given to British-built or British-owned Ships in England. 26 Geo. 3. c. 60. § 44. 27 Geo. 3. c. 19. § 1, 2. 39 & 40 Geo. 3. c. 67. Art. 6.

Ships not registered according to 26 Geo. 3. to be deemed Alien Ships.

48. Ships which by 26 Geo. 3. c. 60. are declared not to be entitled to the Privileges of a British-built Ship, or of a Ship owned by His Majesty's Subjects, and not registered according to that Act, shall, although owned by His Majesty's Subjects, be deemed Alien Ships, and subject to the same Penalties and Forfeitures as Alien Ships in the like Cases are by Law liable to. 27 Geo. 3. c. 19. § 13.

49. On

Masters detaining Certificates, subject to the Penalty of 100l.

49. On Complaint made on Oath by the Owner of any Ship whose Certificate of Registry shall be detained, and refused to be delivered up by the Master thereof to any Justice of the Peace residing near to the Place where such Detainer and Refusal shall be, in Great Britain, or Guernsey, Jersey, or Man, or in any Colony, Plantation, Island or Territory to His Majesty belonging in America, the Justice, by Warrant under his Hand and Seal, may cause such Master to be brought before him, to be examined touching such Detainer and Refusal; and if it shall appear to the Justice, on Examination of the Master, or otherwise, that the same is not lost or mislaid, but is wilfully and maliciously detained, such Master shall be thereof convicted and forfeit £100, and on Failure of Payment within Two Days after such Conviction, he shall be committed to the Common Gaol, to remain without Bail for such Time as the Justice shall deem proper, not being less than Six nor more than Twelve Months. 28 Geo. 3. c. 34. § 13.

If Certificate not found, and the Conviction certified, the Ship may be registered de novo.

50. The Justice shall issue a Warrant under his Hand and Seal to cause Search to be made for such Certificate; and if the same shall be found, the Justice shall cause the same to be delivered to the Owner; and if the same shall not be found, the Justice shall certify the aforesaid Detainer, Refusal, and Conviction to the Person who granted the last Certificate of Registry for such Ship, who shall make Registry thereof de novo, notifying on the Back of the Certificate the Grounds upon which such Ship was registered de novo. 28 Geo. 3. c. 34. § 14.

Although Part Owners, they may be proceeded against and convicted in the Penalty if they refuse to deliver up Certificates to the proper Officers.

51. In case the Master of any Ship of the United Kingdom of Great Britain and Ireland, who shall have received the Certificate of Registry, whether such Master shall be a Part Owner or not, shall wilfully detain and refuse to deliver up the same to the proper Officers empowered to make Registry, on the Owners or the major Part of the Owners of such Ship, if such Master has not any Property therein, or on the other Owners or the major Part of the other Owners of such Ship if the Master hath any Share or Property therein, requiring him so to do, it shall be lawful for the Owners or the major Part of the Owners of such Ship, to make Complaint on Oath against the Master who shall so detain and refuse to deliver up the same, to any Justice of the Peace residing near to the Place where such Detainer and Refusal

Refusal shall be, in Great Britain or Ireland, or to any Member of the Supreme Court of Justice, or any Justice of the Peace in Guernsey, Jersey, or Man, or in any British Plantation in America or the West Indies, where such Detainer and Refusal shall be; and on such Complaint, the Justice or Magistrate shall, by Warrant under his Hand and Seal, cause such Master to be brought before him, to be examined touching such Detainer and Refusal; and if it shall appear to the Justice or Magistrate, on Examination of the Master or otherwise, that the Certificate of Registry is not lost or mislaid, but is wilfully detained by the said Master, such Master shall be thereof convicted and forfeit £100, and on failure of Payment thereof be committed to the common Gaol, to remain without Bail or Mainprize for such Time as the said Justice or Magistrate shall in his Discretion deem proper, not being less than Six nor more than Twelve Months. 34 Geo. 3. c. 68. § 18. 42 Geo. 3. c. 61. § 20.

Upon a Certificate of the Conviction, the Ship may be registered de novo.

52. The Justice or Magistrate shall certify the Detainer, Refusal, and Conviction to the Person who granted such Certificate of Registry, who shall, on the Law being complied with, make Registry of such Ship de novo, notifying on the Back of such Certificate the ground upon which the Ship was so registered. 34 Geo. 3. c. 68. § 19. 42 Geo. 3. c. 61. § 21.

Ships condemned for Offences against the Slave Trade Acts, may be registered as British Ships.

53. All Ships, whether British or Foreign, adjudged to be forfeited under any Act for the Prevention, Abolition, or Regulation of the Slave Trade, in any Court of Record in Great Britain, or which shall be condemned in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, shall be entitled to a Certificate of Registry as British Ships, and thereupon enjoy all the Privileges and Advantages of British-built Ships, in like manner with Ships taken and condemned as lawful Prize of War; but such Ships shall be subject to the same Duties and Regulations, and shall be registered in the same Manner, and subject to the same Conditions and Restrictions, Penalties and Forfeitures, and shall be owned and navigated, as Ships condemned as lawful Prize are required to be, in order to their obtaining British Registers, and enjoying the Privileges of British Ships according to Law. 54 Geo. 3. c. 59. § 1.

1. Of the British Plantations in America shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. § 18. 2 & 3 Ann. c. 5. § 12. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8. Not to be exported unless to some other Plantation, or to Great Britain or Ireland.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. The Growth of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana; but such Rice shall not be so imported except by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1. May be imported from United States into West India Islands and Colonies in Guiana, in British Vessels;

3. The Growth of the said Territories, may be imported from thence into Saint George or Hamilton, in Bermuda, in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1. and into Bermuda in Foreign Vessels.

4. No Rice shall be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1. Not to be imported from Colonies under Foreign European Sovereigns.

5. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of any of the said Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation Except in case of Distress, for the Supply of the Inhabitants, by Authority of the Governor.

Importation of Rice for a limited Time from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but the said Rice shall not be so imported except by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

So imported by Authority of the Governors for the Supply of Inhabitants, not to be exported; and Oath to be made before shipping of Rice that it was not so imported.

6. In case any Rice which shall have been imported from any Island in the West Indies or Colony on the Continent of South America under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, shall after such Importation be exported, or put on board any Ship or Boat or brought to any Quay with Intent to be so exported, the same shall be forfeited, as also the Ship or Boat in which laden; and before shipping of any Rice that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported under such Authority as aforesaid from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

Persons taking a false Oath deemed guilty of Perjury.

7. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

Importation generally allowed from Colonies under Foreign European Sovereigns for the Supply of the Inhabitants.

8. May be imported into any of His Majesty's Colonies or Plantations in the West Indies, or on the Continent of South America, for the Supply of the Inhabitants, in British-built Ships, owned, navigated, and registered according to Law, from any Colony or Possession in the West Indies, or on the Continent of America, under the Dominion of any Foreign European Sovereign or State. 58 Geo. 3. c. 27. § 1.

9. In

In case of Distress, the Governors of Nova Scotia, &c may permit Importation from United States for the Supply of Inhabitants.

9. In case of public Emergency or Distress, the respective Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Breton, or St. John's, with the Advice of their respective Councils, may authorize the Importation of Rice for a limited Time from any of the Territories of the United States of America, for the Supply of the Inhabitants of the said Provinces and Islands respectively; provided that no Rice shall be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

May be imported in Foreign Ships into Ports to be approved by His Majesty in Nova Scotia or New Brunswick;

10. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Rice into such Ports as shall be specially appointed for that Purpose by His Majesty within the Provinces of Nova Scotia or New Brunswick; provided that Rice shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and such Rice may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

under such Rules and Regulations as His Majesty shall deem necessary.

11. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of Rice at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of Act.

12. This Act shall continue in force for the Space of Three Years from and after the passing of the same *, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

In case of Distress, may be imported into Quebec from the United States by the Authority of the Governor, for the Supply of the Inhabitants.

13. In case of public Emergency and Distress, the Governor of Quebec, or the Lieutenant Governor or Commander in Chief, with the Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries and Islands within the Government thereof, or up the River

* 8th *May* 1818.

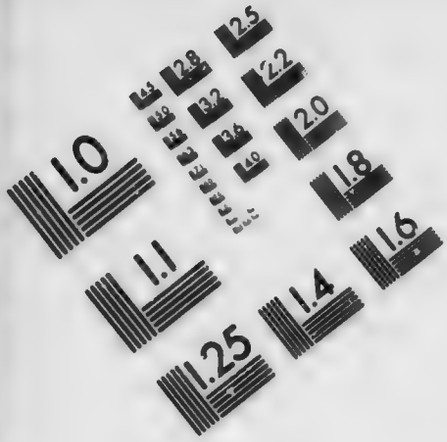
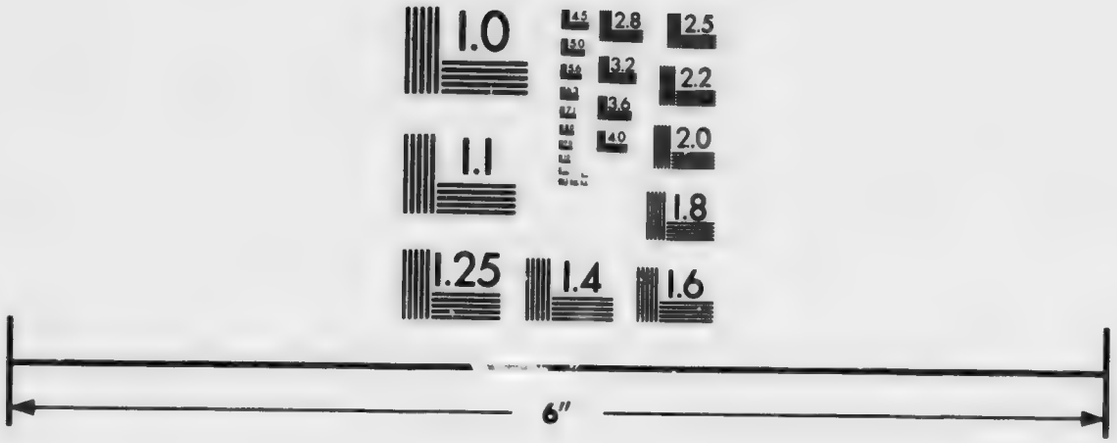
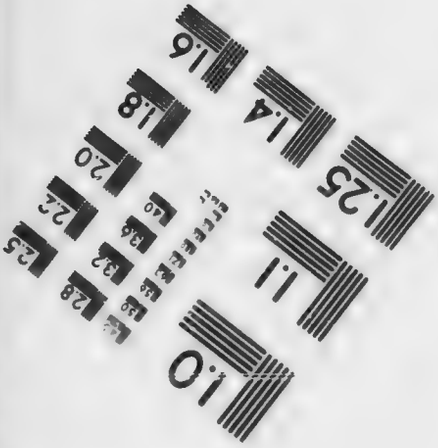
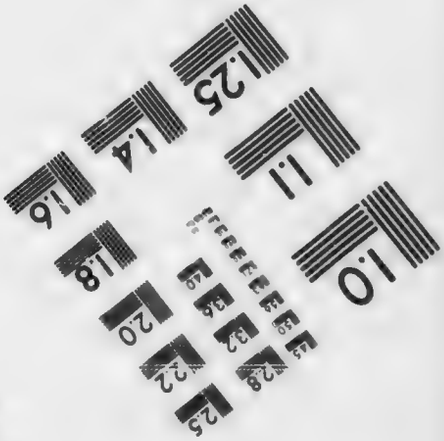


IMAGE EVALUATION
TEST TARGET (MT-3)







Photographic
Sciences
Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

Saint Lawrence from the Sea, of Rice, for a limited Time, from any of the Territories of the United States of America, for the Supply of the Inhabitants; provided that no Rice shall be so imported except by British Subjects, in British-built Ships, and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

Governor of Nova Scotia, &c. may authorize Importation for Re-exportation to any other Colony.

13. Any of the Governors, Lieutenant Governors, or Commanders in Chief for the Time being of Nova Scotia or New Brunswick, or of Cape Breton or Saint John's, with the Advice of their respective Councils, may authorize the Importation of Rice for a limited Time from any of the Territories of the United States of America, for Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

May be imported into the Free Ports in Foreign Vessels.

14. May be imported from any of the Colonies or Plantations in America belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel manned and navigated by Persons inhabiting any of the said Colonies or Plantations. 48 Geo. 3. c. 125. § 2.

See Free Ports.

May be imported into the West India Islands, and Colonies of Guiana, from the Portuguese Dominions.

15. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, any Rice, being the Growth of some of the Territories or Dominions of the Crown of Portugal in South America; provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

By whom Goods and Vessels may be seized.

16. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

Road Harbour and Rosseau,

Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. Free Ports.
See FREE PORTS.

Rum. See "Spirits."

Safflower and Saffron,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. Importation allowed from Malta or Gibraltar.
See GIBRALTAR.
MALTA.

Sails.

1. Every Ship built in His Majesty's Plantations in America shall, upon her first setting out or being first navigated at Sea, be furnished with one full and complete Set of new Sails, made up of Sail Cloth manufactured in Great Britain or Ireland; and in case any such Ship shall not, on her first setting out, be fitted and furnished with a new Set of Sails, properly belonging to such Ship, made of Sail Cloth of the Manufacture of Great Britain or Ireland, the Master shall forfeit £50. 19 Geo. 2. c. 27. § 11. 9 Geo. 3. c. 37. § 4. 39 & 40 Geo. 3. c. 67. Art. 6. Ships upon their first setting out to be furnished with a new Set of Sails.

Saint John's, Island of.

1. Wines of the Madeiras, or of the Western Islands or Azores, may be there laden for Exportation to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 7. Wines of the Madeiras or Western Islands.

2. Goods fit and necessary for the Fisheries in the British Colonies in America, may be exported to the Colonies where such Fisheries are carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2. Goods for the Fisheries.
See GUERNSEY.
JERSEY.

Herrings from the Isle of Man.

3. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies or Plantations, in the same Manner as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.

See MAN.

Implements for the Fishery.

4. Tools and Implements necessary for the Fisheries in the British Colonies may be exported direct from the said Colonies to the Isle of Man. 15 Geo. 3. c. 31. § 5.

See MAN.

Articles from Malta or Gibraltar to the Colonies.

5. Any British-built Ship, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the Schedule marked (B.) annexed to 55 Geo. 3. c. 9. for Exportation direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

To Malta or Gibraltar from the Colonies.

6. Any Article the Production or Manufacture of any of His Majesty's Colonies or Plantations in North America, or any Article which has been legally imported into such Colonies or Plantations, may be exported from thence to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

Oranges and Lemons from the Azores or Madeiras.

7. Oranges and Lemons the Growth of the Azores and Madeiras may be there laden for Exportation direct to any of the British Colonies in North America, on board any British Ship navigated and registered according to Law. 57 Geo. 3. c. 38. § 9.

No Goods to be imported from the United States except Pitch, Tar, and Turpentine.

8. No Goods shall be imported from any of the Territories of the United States of America into Saint John's, on Forfeiture thereof and the Ship, except Pitch, Tar, and Turpentine, the Production of the said Territories, imported by British Subjects and in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

Except also Lumber, Cattle, Corn, &c. in case of Distress, for the Supply of the Inhabitants.

9. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief for the Time being, with the Advice and Consent of the Council of the Island, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs.

Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

May be imported for Re-exportation to other Colonies.

10. The Governor, Lieutenant Governor, or Commander in Chief for the Time being, with the Advice and Consent of the Council of the Island, may authorize the Importation of the aforesaid Articles, for a limited Time, from any of the Territories of the United States of America, for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

By whom Goods and Vessels may be seized.

11. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 35 Geo. 3. c. 50.

Saint John's (New Brunswick). Saint John's (Newfoundland).

Fruit, Wine, Oil, Salt, or Cork may be imported from Ports in Europe South of Cape Finisterre.

Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be shipped and laden in any Port or Place of Europe South of Cape Finisterre, for Exportation direct to the Port of Saint John's in New Brunswick, or Saint John's in Newfoundland, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe with Articles the Growth or Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the British Colonies in North America or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

See Cork.
Fruit.
Oil.
Salt.
Wine.

Saint John's (Antigua), Saint George (Granada), Saint Ann (Jamaica),

Free Ports.

Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Saint Domingo.

See "Jamaica."

Saint Lucia.

Governors Orders for the Importation of Articles into the Island in Foreign Vessels declared valid.

1. Whereas the Person acting as Governor of Saint Lucia has found himself under the Necessity of opening, with the Advice of his Council, the Ports of the said Island for a limited Time, for the Importation of certain Articles necessary for the Supply of the said Island, in Foreign Bottoms, and in like Manner for the Exportation of certain Articles the Produce of the said Island in return for the same: And whereas such Importation and Exportation as aforesaid are contrary to 12 Car. 2. and other Acts, but being permitted from the Necessity of the Occasion, the same ought to be justified and rendered valid and of due Force in Law, and all Persons advising or issuing any Order or Permission of the said Governor, or Person acting as such, ought to be respectively justified: Be it therefore enacted, That the said Orders and Permissions be and be deemed valid accordingly, and of due Force in Law; and that all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Person for having advised or issued or carried into Execution any such Order or Permission at any Time before the passing of this Act, shall be discharged and made void by virtue of this Act; and if any Action or Suit shall be prosecuted or commenced against any Person for or by reason of any such Act, Matter, or Thing so advised, commanded, or done, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff in any Action or Suit so to be prosecuted or commenced in that Part of the United Kingdom called England, or that Part called Ireland, or in the said West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff,

Actions discharged.

tiff, the Defendant shall recover his Double Costs, for which he shall have the like Remedy as in Cases where the Costs by Law are given to the Defendants; and if any such Action or Suit shall be commenced or prosecuted in that Part of Great Britain called Scotland, the Court before which such Action or Suit shall be commenced or prosecuted shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs of Suit in all such Cases. 58 Geo. 3. c. 7. § 1.

Defendants may apply to Courts to stay Proceedings and recover Double Costs.

2. If any Action or Suit hath been already commenced against any Person for any such Act, Matter, or Thing so advised, commanded, or done, the Defendants or Defenders in such Actions or Suit respectively, in whatever Court in the United Kingdom of Great Britain and Ireland, or in the said West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is hereby required to make Order for that Purpose accordingly; and the Court making such Order shall award to the Defendants or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where the Costs are by Law given to the Defendants or Defenders. 58 Geo. 3. c. 7. § 2.

Saint Vincent.

A Free Port.

The Port of Kingston one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Salt.

May be laden in any Part of Europe for the Fisheries.

1. May be laden in any Part of Europe for Exportation direct to Newfoundland, Nova Scotia, and Quebec, for the Use of the Fisheries, on board any British-built Ship, owned, navigated, and registered according to Law. 15 Car. 2. c. 7. § 6. 2 Geo. 3. c. 24. § 7. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1.

Vessels from the British Colonies in North America arriving with the Produce

2. The Produce of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe South of Cape Finisterre for Exportation direct to any of the Ports

thereof at Places in Europe South of Cape Finisterre, may import from thence Salt of Europe.

hereinafter mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, all in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port or Place in Europe with Articles the Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or from any Part of the United Kingdom, or with Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, Heading dressed or undressed, Pine Planks or Boards, from the Province of Canada, whether such Goods are the Produce of Canada, or shall have been brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Duty thereon.

3. Upon the Importation thereof into any of the said Ports, the Salt shall be liable to such Duties as Goods of the like Denomination are liable to upon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Provinces or of the British Fisheries, and Certificate thereof to be produced.

4. The Person exporting a Cargo from any Port in Nova Scotia or New Brunswick, for any such Part of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment in those Provinces, before the Chief Officer of the Customs, or Naval Officer in Command, that the Cargo so shipped is the Produce of the said Provinces, or the Produce of the British Fisheries in North America, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies; and such Officer of the Customs, or Naval Officer, shall certify such Oath under his Hand; which Certificate shall be produced by the Master on his Arrival at the Port in Europe within the Limits aforesaid to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master of such Ship shall make Oath before the British Consul there, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

Certain Articles may be exported from Canada

4. The Exporter of any Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, Wheat, Oak Staves

and Heading, dressed or undressed, Hoops, Pine Plank, and Boards from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the said Province (if any) by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to in Manner aforesaid, by the Master of such Ship at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

without such Oath, on producing a Certificate of the regular Importation by Land or Inland Navigation.

5. Before the Shipment of any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in taking it, until the same shall be shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies: and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, which the Master shall produce at the Port of Delivery in Europe, and shall make Oath of the Authenticity of such Certificate in Manner aforesaid. 51 Geo. 3. c. 97. § 6.

Oath to be made before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

6. Any Ship or Goods subject to Forfeiture under this Act shall be seized by any Officer of the Customs in the said Colonies, or by the Commander of any of His Majesty's Ships or Vessels of War; and the same may be prosecuted, recovered, and divided in the same Manner, and by the same Regulations, as far as applicable, as any other Forfeiture imposed by any Act made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force on the passing of this

By whom Ships and Goods may be seized and prosecuted.

this Act, may be prosecuted, recovered, and divided in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

May be laden on board American Ships at the Turks Islands.

7. Any Ship belonging to the Inhabitants of the said United States of America, coming in Ballast, and not otherwise, may enter the Ports of the Turks Islands, for the Purpose of being there laden with Salt only. 28 Geo. 3. c. 6. § 5.

Masters to make Entry of the Ship with the principal Officer.

8. The Master of such Ship shall immediately after her Arrival make a true Entry upon Oath before the Collector or other principal Officer of such Port, of his Ship, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the said Port, in order that such Ship may undergo the Search and Examination of the proper Officers of the Customs; and such Master shall truly answer upon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other principal Officer, and for any Default therein shall forfeit £100. 28 Geo. 3. c. 6. § 6.

A Tonnage Duty to be paid.

9. There shall be collected, for the Use of His Majesty, a Tonnage Duty of 2s. 6d. Sterling, payable in Dollars at the Rate of 5s. 6d. per Ounce, for every Ton Burthen of such Ship; and the Tonnage shall be ascertained by Admeasurement made by such Officer as shall be appointed for that Purpose by the Commissioners of the Customs in England, which Officer shall admeasure such Ship according to the following Method; viz.

How ascertained.

'Drop a Plumb Line over the Stern of the Ship, and 'measure the Distance between such Line and the 'After-part of the Stern Post at the Load Water 'Mark; then measure from the Top of the said 'Plumb Line in a parallel Direction with the 'Water to a perpendicular Point immediately over 'the Load Water Mark, at the Fore-part of the 'Main Stem, subtracting from such Measurement 'the above Distance, the Remainder will be the 'Ship's extreme Length; from which is to be de-'ducted Three Inches for every Foot of the Load 'Draught of Water for the Rake abaft, and also '3-5ths of the Ship's Breadth for the Rake forward, 'the remaining shall be esteemed the just Length of 'the Keel to find the Tonnage; and the Breadth

'shall

'shall be taken from Outside to Outside of the 'Plank, in the broadest Part of the Ship, either 'above or below the Main Wales, exclusive of all 'Manner of Sheathing or Doubling that may be 'wrought upon the Side of the Ship; then multiply 'the Length of the Keel for Tonnage by the 'Breadth so taken, and that Product by One-half 'the Breadth, and dividing by 94, the Quotient 'shall be deemed the true Contents of the Tonnage.' 28 Geo. 3. c. 6. § 7.

Receipt and Appropriation of the Duty.

10. The Duty shall be paid to the Collector of the Customs at the Port or Place wherein he shall be appointed to reside, before any Salt shall be laden, and shall be under the Management of the Commissioners of the Customs, and recovered in like Manner and under such Penalties and Forfeitures as any other Duties now payable to His Majesty on Goods imported into any of the Plantations or Territories belonging to or under the Dominion of His Majesty in America or the West Indies, are or may be levied, paid, and recovered, and shall be subject to the Payment of the Salaries of the Officers, and other incidental Charges of the Port; and the Residue be paid to the Receiver General of the Customs in England, to be paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

Only certain Articles allowed to be exported from the Turks Islands.

11. No Goods shall be exported from the said Islands to any Part of His Majesty's Dominions in America or the West Indies, or laden on board any Ship for that Purpose, except Salt; and no Goods shall be exported from the said Islands to Great Britain or Ireland, or laden on board any Ship for that Purpose, except Salt, and also except such Goods as may be by Law imported into Great Britain or Ireland from all other Countries free of Duties; on the Forfeiture of such Goods as shall be exported or laid on board contrary to this Act and the Ship. 28 Geo. 3. c. 6. § 9. 39 & 40 Geo. 3. c. 67. Art. 6.

May be laden in Foreign Ships at the Bahama Islands.

12. Any Foreign Ship described in 45 Geo. 3. c. 57. may come in Ballast into any Port of the Bahama Islands where there is a Custom House, and export Salt, subject to the Duty of Tonnage, and under the Regulations imposed by 28 Geo. 3. c. 6.—52 Geo. 3. c. 99. § 1.

See Free Ports.

13. Any

Salt.

May be exported from thence without Bond.

13. Any British Ship, owned, navigated, and registered according to Law, may export from any Part of the Bahama Islands any Quantity of Salt, without entering into the Bond required by 6 Geo. 3. c. 52.—52 Geo. 3. c. 99. § 2.

See Goods, Non-enumerated.

May be laden in American Ships in the Bahama Islands.

14. Until 25th March 1819, any Ship belonging to the United States of America, coming in Ballast and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exuma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt, subject to the Rules, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Ships coming for the same Purpose to Turk's Islands. 57 Geo. 3. c. 42. § 1.

San Josef. Santa Lucea.

Free Ports.

Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Sarsaparilla. Sausages.

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See Gibraltar.
Malta.

Savannah la Mar.

A Free Port.

One of the Free Ports in the Island of Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Masters of Ships not to hire Seamen, in the West Indies at more than double Wages, unless authorised by the Governor.

1. No Master of any Merchant Ship, which shall have proceeded from any Place in Great Britain or Ireland, shall hire or engage any Seaman, Mariner, or other Person at any Place within His Majesty's Colonies or Plantations in the West Indies, to serve on board any such Ship, at or for greater Wages or Hire for such Service than according to the Rate of Double Monthly Wages contracted for with the said Seamen, Mariners, and other Persons, at the Time of the Ship's then last Departure from Great Britain or Ireland, being in the same Degree and Station in which such Seaman, Mariner, or other Person shall be so hired or engaged at any such Port or Place, unless the Governor, Chief Magistrate, Collector, or Comptroller of such Port or Place, shall think that greater Wages or Hire ought to be given to such Seaman, Mariner, or other Person, and shall authorize the same by Writing under his Hand; and all Contracts and Securities which shall be made contrary to this Act shall be void; and the Master of any such Merchant Ship, or other Person who shall enter into or give, or cause or procure to be given, any such Contract or other Security, Promise or Undertaking, or who shall hire or procure to be hired any Seaman, Mariner, or other Person to enter on board any Ship contrary to this Act, or who shall pay or procure to be paid any greater Hire or Wages, or other Gratuity or Advantage, to any Seaman, Mariner, or other Person so hired or engaged, than is allowed by this Act, shall forfeit £100. 37 Geo. 3. c. 73. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Ships trading to West Indies to have an Apprentice for every 100 Tons.

2. The Master of every Merchant Ship trading to His Majesty's Colonies and Plantations in the West Indies, shall have on board, at the Time of clearing out from Great Britain or Ireland, One Apprentice who shall be under the Age of Seventeen Years, duly indented for Three Years, for every 100 Tons, and so in proportion for every 100 Tons according to the Certificate of Registry; and the Indenture of every Apprentice shall be enrolled at the Custom House of the Port from whence such Ship shall clear out, with the Collector or Comptroller, within One Month after the Execution thereof; and such Apprentice shall be exempt from serving in His Majesty's Navy for Three Years from the Date of the Indenture; and every Owner or Master neglecting to enrol the same shall forfeit £10, One Moiety by the Owner and the other

other Moiety by the Master. 37 Geo. 3. c. 73. § 4. 39 & 40 Geo. 3. c. 67. Art. 6.

Masters of such Ships out and home, within 10 Days after Arrival, to deliver Lists of Crew.

3. The Master of such Ship shall, within 10 Days after his Arrival out at any Port in the said Colonies and Plantations, and within 10 Days after their Arrival Home at any Port in Great Britain or Ireland, deliver upon Oath, to be made before the Collector or Comptroller of such Port, a true List and Description of all the Crew on board at the Time of the clearing out from Great Britain or Ireland, and of the Crew on board at the Time of Arrival at any Port in the said Colonies or Plantations, and also a true List and Description of every Person who has deserted or who has died during the Voyage, and also a true Account of the Wages due to each Person so dying, at the Time of his Death; and every Master neglecting so to do shall forfeit £50; and for each List or Account so delivered, the Collector or Comptroller shall be entitled to 2s. 6d.; and any Person may inspect such List, for which Inspection the Collector or Comptroller shall be entitled to One Shilling. 37 Geo. 3. c. 73. § 5. 39 & 40 Geo. 3. c. 67. Art. 6.

Shall not be entitled to greater Wages than herein authorized.

4. No Seaman, Mariner, or other Person who shall, within His Majesty's Colonies or Plantations in the West Indies, engage himself to serve, or who shall in the said Colonies or Plantations enter on board any Merchant Ship which shall sail from Great Britain or Ireland, shall be entitled to receive any greater Wages or Hire, or other Gratuity or Advantage, on account of such Service, than herein authorized. 37 Geo. 3. c. 73. § 6. 39 & 40 Geo. 3. c. 67. Art. 6.

Not to extend to Seamen producing Certificates of Discharge from Ships in which they last served, or if hired through Necessity.

5. But not to extend to any Agreement which shall be made with any Seaman, Mariner, or other Person hired or engaged to serve on board any Merchant Ship at any Port within His Majesty's Colonies or Plantations in the West Indies, who shall at the Time of such Engagement produce to the Master a Certificate under the Hand of the Master of the Ship on board of which such Person had then last served, signed in the Presence of one or more Witnesses, stating their Places of Abode, certifying that such Person had been duly discharged; and which Certificate the Master shall grant within Three Days after Application made to him before a Witness, or in default thereof shall forfeit £20; nor to any Agreement to be made with any Person hired or engaged to serve

serve on board any Merchant Ship, which through Necessity, or on account of very hazardous Service or extraordinary Duty, require such Agreement to be made and more Wages given, and of which Necessity, Service, or extraordinary Duty, Proof shall be made on Oath before the Chief Magistrate or Principal Officer of any Port, or before any Justice of the Peace of the said Colonies or Plantations; provided that such Person so hired or engaged shall not have deserted from the Ship on board of which he had then last served; and also that no greater Wages shall be given by any Master, or received by any Seaman, Mariner, or other Person, except in Cases of such Necessity, very hazardous Service, or extraordinary Duty, than after the Rate of double the Monthly Wages, or the Wages to be settled or directed by any Governor, Chief Magistrate, Collector, or Comptroller as herein-before directed. 37 Geo. 3. c. 73. § 10.

6. The Articles to be entered into between the Masters, Seamen, and Mariners of such Merchant Ship, shall be to the Effect mentioned in the Schedule annexed to this Act*. 37 Geo. 3. c. 73. § 11.

Seeds.

1. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Seeds into such Ports as shall be specially appointed for that Purpose by His Majesty within the Provinces of Nova Scotia or New Brunswick; provided that Seeds shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and the same may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. §1, 2, 3.

May be imported in Foreign Ships into Ports to be approved, in Nova Scotia or New Brunswick;

2. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of Seeds at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. §6.

under such Rules and Regulations as His Majesty shall think necessary.

* *The Form of the Articles is in the Appendix.*

3. This

Limitation of the Act.

3. This Act shall continue in force during the Space of Three Years from and after the passing of the same*, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Seizures.

Officers may enter Houses to seize prohibited and uncustomed Goods.

1. Any Officer of the Customs, authorized by Writ of Assistance under the superior or supreme Court of Justice having Jurisdiction within the Colony or Plantation, may take a Constable, Headborough, or other Public Officer inhabiting near the Place, and in the Day-time enter any House, Shop, Cellar, or other Place, and in case of Resistance break open Doors, Chests, Trunks, and other Packages, there to seize and to bring any kind of prohibited or uncustomed Goods to His Majesty's Storehouse in the Port next to the Place where such Seizure shall be made. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6. 7 Geo. 3. c. 46. § 10.

On Actions General issue may be pleaded, and Treble Costs allowed to Defendants.

2. If any Action or Suit shall be commenced against any Person for any thing done in pursuance of this Act, the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. 7 Geo. 3. c. 46. § 11.

Who may seize Sugar, Indigo, and Wine landed without a Warrant.

3. Sugar, Indigo, and Wine, landed in any of His Majesty's Colonies or Plantations before due Entry and Payment of the Duty, or without a Warrant for the landing and delivering the same by the proper Officer, may be seized by the Governor or Commander in Chief of the Colony or Plantation where landed, or by any Person authorized by such Governor or Commander in Chief in that Behalf, or by Warrant of any Justice of the Peace, or other Magistrate, or by any Custom-

* 8th *May* 1818.

house,

house, Impost, or Excise Officer, or any Person aiding or assisting him. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1. 7.

In what Courts Forfeitures are to be prosecuted and recovered.

4. Forfeitures incurred in the British Colonies or Plantations in America, under any Law relative to the Trade or Revenue of the said Colonies or Plantations, shall be prosecuted and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises; and in Cases where there shall happen to be no such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Cause of Prosecution arises; provided that where a Seizure is made in any other Colony than that where the Forfeiture accrues, such Seizure may be prosecuted in any Court of Record or of Vice Admiralty having Jurisdiction, either in the Colony or Plantation where the Forfeiture accrues, or in the Colony or Plantation where the Seizure is made, at the Election of the Prosecutor; and if there are no such Courts in either of the last-mentioned Colonies or Plantations, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Forfeiture accrues, or to that where the Seizure is made, at the Election of the Prosecutor. 49 Geo. 3. c. 107. § 1.

To be deposited in the Custody of the Collector and Comptroller of the Customs.

5. Prosecuted under the Authority of this Act, by whomsoever made, shall be deposited in the Custody of the Collector and Comptroller of the Customs at the Port where made, or into which they shall be carried, and shall be subject, in respect to the Charge, Care, Sale, and Delivery thereof, to the Rules and Regulations of 26 Geo. 3. c. 40. and shall be deliverable on Security, according to the Rules of 28 Geo. 3. c. 34. (See No. 10 to 13.) 49 Geo. 3. c. 107. § 2.

Claimers to give Security for Costs.

6. No Person shall be admitted to enter a Claim to any Ship or Goods seized and prosecuted in any of the British Colonies or Plantations in America, until sufficient Security be first given by Persons of known Ability, in the Court where such Seizure is prosecuted, in £60, to answer the Costs and Prosecutions; and in default of giving such Security, the Ship or Goods shall be adjudged to be forfeited. 4 Geo. 3. c. 15. § 44.

On Informations of Seizure, the Jury to be

7. On Actions and Informations brought or entered in the British Plantations, upon any Law concerning His

Natives of England or Ireland, or of the Plantations, and laid in any Colony.

Majesty's Duties, or Ships or Goods to be forfeited by reason of any unlawful Importations or Exportations, there shall not be any Jury but of such only as are Natives of England or Ireland, or are born in His Majesty's Plantations; and upon all such Actions and Informations the Offences may be laid or alleged in any Colony, Province, County, Precinct, or Division of any of the said Plantations where such Offences are alleged to be committed, at the Pleasure of the Informer. 7 & 8 W. 3. c. 22. § 11.

In Cases of Dispute the Proof to be upon the Claimer.

8. If any Ship or Goods shall be seized for any Cause of Forfeiture, and any Dispute shall arise whether the Duties have been paid, or the same have been lawfully imported or exported, or concerning the Product or Manufacture, or the Place from whence such Goods were brought, in such Case the Proof thereof shall be upon the Owner or Claimer, and not upon the Officer who shall seize the same. 4 Geo. 3. c. 15. § 45.

If a Verdict be given for the Defendant, the Judge may certify a probable Cause of Seizure.

9. In case any Information shall be commenced and brought to Trial in America, on account of any Seizure of any Ship or Goods wherein a Verdict or Sentence shall be given for the Claimer thereof, and it shall appear to the Judge or Court that there was a probable Cause of Seizure, the Judge or Court before whom the same shall be tried shall certify on the Record or other Proceedings, that there was a probable Cause for seizing the Ship or Goods; and in such Case the Defendant shall not be entitled to any Costs of Suit, nor shall the Persons who seized the Ship or Goods be liable to any Action or Prosecution on account of such Seizure; and in case any Action shall be commenced and brought to Trial against any Person on account of the seizing any such Ship or Goods, where no Information shall be commenced or brought to Trial to condemn the same, and a Verdict or Sentence shall be given upon such Action or Prosecution against the Defendant, if the Court or Judge before whom such Action or Prosecution may be brought shall certify that there was a probable Cause for such Seizure, then the Plaintiff, besides his Ship or Goods, or the Value thereof, shall not be entitled to above Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant be fined above One Shilling. 4 Geo. 3. c. 15. § 46.

On Actions against Officer the Judge may certify.

May be delivered, on Security for the

10. In case any Goods shall be seized as forfeited in pursuance of any Act relative to the Trade and Revenue of the British Colonies and Plantations in America, the

Judge of any Court having Jurisdiction to try and determine such Seizure, may order the Delivery of such Goods on sufficient Security, by Bond being given to answer Double the Value in case of Condemnation; such Security to be good and sufficient, and to be taken to the Use of His Majesty, by and in the Name of the Collector of the Customs in whose Custody the Goods may be lodged. 28 Geo. 3. c. 34. § 7.

Value, by Order of the Judge.

11. The Collector and Comptroller of the Customs shall, previous to the Execution of the Bond, make strict Inquiry into the Sufficiency of the Sureties proposed; and if found of Ability, they shall then certify the same in Writing to the Judge of such Court; and upon the Production of such Certificate, if the Judge is also satisfied with the Sufficiency of the Sureties, the Bond shall be executed, and shall then be delivered to and kept in the joint Custody of the said Collector and Comptroller; and in case the Goods for which such Security shall be so taken shall be condemned, the Value thereof shall be paid into the Hands of such Collector, who shall thereupon, with the Consent or Privity of the Comptroller, cancel the Bond. 28 Geo. 3. c. 34. § 8.

Bond to be delivered to the Collector and Comptroller, and the Value paid to them.

12. But this Act shall not authorize the Delivery of any Goods, except in Cases where the same shall be perishable, or where the Informer shall delay coming to as speedy a Trial as the Course of the Court in which the Prosecution shall be commenced and the Nature of the Circumstances will permit. 28 Geo. 3. c. 34. § 9.

To apply to perishable Goods only, or in Cases of Delay.

13. Goods and Ships which shall be seized in pursuance of any Act relative to the Trade and Revenue of the British Colonies or Plantations, and which shall be condemned there, shall be sold by Public Auction to the best Bidder at the Custom-house by the Collector and Comptroller, or Principal Officer of the Customs for the Island, Colony, or Plantation, in whose Custody such Ships or Goods shall be secured; and the Produce of such Sale shall be accounted for and applied by such Collector and Comptroller or other Principal Officer according to Law, subject to the Directions of the Commissioners of the Customs in England, or any Four of them. 26 Geo. 3. c. 40. § 33.

Shall be sold by the principal Officer and accounted for, subject to the Commissioners Directions.

14. Ships seized and condemned in any Colony, Plantation, or Territory belonging to His Majesty in America

Ships condemned for any illicit

Trade, may be broken up.

or in the West Indies, for any illicit Trade, the Commissioners of the Customs in England may direct to be broken up, and the Materials thereof sold, and the Produce to be accounted for and applied in the like Manner as the Produce of other Seizures condemned there are by Law directed to be accounted for and applied. 27 Geo. 3. c. 32. § 12.

How Proceeds to be disposed of.

15. Forfeitures recovered in America under this or any former Act, shall be applied as follows; that is to say, after deducting the Charges of Prosecution from the gross Produce thereof, One-third of the net Produce shall be paid to the Collector at the Port where such Forfeitures shall be recovered, for the Use of His Majesty, One-third to the Governor or Commander in Chief of the Colony or Plantation, and the other One-third to the Person who shall seize and sue for the same; excepting such Seizures as shall be made by the Commanders or Officers of His Majesty's Ships or Vessels of War, duly authorized to make Seizures, any where at Sea or upon any River, and which shall not be actually made on Shore within any British Colony or Plantation in America; One Moiety of which Forfeitures (first deducting the Charges of Prosecution) shall be paid to the Collector for the Use of His Majesty, and the other Moiety to him who shall seize and sue for the same; subject to such Distribution of the Produce of Seizures so made at Sea, as well with regard to the Moiety granted to His Majesty, as to the other Moiety given to the Seizor or Prosecutor, as His Majesty shall think fit to direct by any Order of Council or Proclamation. 4 Geo. 3. c. 15. § 42. 5 Geo. 3. c. 45. § 26.

Expences may in certain Cases be paid out of the Revenue.

16. If the Produce of any Seizure made in America shall not be sufficient to answer the Expences of Condemnation and Sale, or if upon the Trial of any Seizure of any Ship or Goods, a Verdict or Sentence shall be given for the Claimant, the Charges attending the seizing and prosecuting shall, with the Consent and Approbation of any Four of the Commissioners of the Customs, be paid out of any Branch of the Revenue arising in any of the British Colonies or Plantations in America. 4 Geo. 3. c. 15. § 43.

Under the Slave Trade Acts.

17. As to the Seizure, Prosecution, and Disposal of "Slaves," and the Bounties allowed to the Seizors under

the Acts for restraining and prohibiting the African Slave Trade, *See* SLAVES. 46 Geo. 3. c. 72. 47 Geo. 3. c. 36.

Forfeited and unclaimed Shares to be paid to Greenwich Hospital.

18. The Royal Hospital for Seamen at Greenwich shall be entitled to all forfeited and unclaimed Shares of and in the Proceeds which shall have arisen or shall hereafter arise from all Seizures for Breach of the Revenue, Colonial, Navigation, and Slave Abolition Laws, made by any of His Majesty's Ships; and the Agents for the Payments or Distribution of such Proceeds shall be subject to the same Regulations, Penalties, and Forfeitures with respect to the unclaimed and forfeited Shares thereof, and the transmitting of Accounts and Payment of Balances to the Royal Hospital, as Prize Agents were subject to with respect to the Transmission of Accounts and Payment of Balances of Prize Money to the Royal Hospital under 54 Geo. 3. c. 23.—57 Geo. 3. c. 127. § 6.

In certain Cases may be restored, by Order of the Commissioners of Customs;

19. The Commissioners of the Customs in England, or any Four of them, may order any Goods, Ships, Boats, Horses, Cattle, or Carriages seized as forfeited by any Officer, or any other Person, in pursuance of any Act made for the Protection of Trade, the Benefit of Commerce, or the encouraging and increasing of Shipping and Navigation, or in pursuance of any other Act in any respect relating to the Department of the Customs, to be restored to the Proprietor, whether such Goods, Ships, Boats, Horses, Cattle, or Carriages shall have been seized on the High Seas, or in any of His Majesty's Dominions, Colonies, Settlements, or Plantations, in case Evidence shall be given to the Satisfaction of the said Commissioners, that the Forfeiture arose without any Design or Fraud in the Proprietor; and also in case the Seizure shall have been made in any of His Majesty's Colonies, Settlements, or Plantations, or on the High Seas, and it shall be made appear to the Satisfaction of the Commissioners or any Four of them, that such Seizure was occasioned by the Proprietor of such Goods, &c. having acted in conformity with any Orders or Directions which the Governor or Chief Officer of any such Colony, Settlement, or Plantation shall have deemed it expedient on any particular Emergency to issue. 51 Geo. 3. c. 96. § 1.

and if the Proprietor shall comply with

20. Where the said Commissioners shall exercise the Powers vested in them, and such Goods, &c. shall be restored

the Terms prescribed by the Commissioners, neither the Officer nor Proprietor shall proceed.

stored to the Proprietor on such Condition as under the Circumstances of the Case shall appear to the Commissioners to be reasonable, and the Proprietor shall comply with the Terms prescribed, it shall not be lawful for the Officer or any Person who shall have seized such Goods, &c. or any other Person on his Behalf, to proceed for the Condemnation; but if such Proprietor shall not comply with the Terms, such Officer or Person shall be at Liberty to proceed as if this Law had not been made; or if such Proprietor accept the Terms, he shall not be entitled to any Recompence or Damage on account of the Seizure, or maintain any Action for the same. 51 Geo. 3. c. 96. § 2.

May be restored, or Forfeitures remitted, by Order of the Lords of the Treasury.

21. The Commissioners of His Majesty's Treasury, or any Three of them, by any Order made for that Purpose, under their Hands, may direct any Ships, Goods, or Commodities whatever, seized as forfeited by virtue of any Act relating to the Revenue of Customs or Excise, or any Act for the Regulation of the Trade and Navigation of this Kingdom, to be restored to the Proprietor on the Terms and Conditions which shall be mentioned in any such Order; and the said Commissioners of His Majesty's Treasury, or any Three of them, may mitigate or remit any Forfeiture which shall have been incurred under any Law relating to His Majesty's Revenue of Customs or Excise, or any Act relating to the Trade and Navigation of this Kingdom. 54 Geo. 3. c. 171. § 1.

But no Person shall be entitled to the Benefit of such Order unless the Conditions be complied with.

22. In any Case where the said Commissioners of His Majesty's Treasury shall exercise the Powers hereby vested in them, such Goods or Commodities shall be restored to the Proprietor or Proprietors, or such Forfeiture, or any Part thereof, shall be remitted, in such Manner or upon such Terms and Conditions, as to Costs or otherwise, as, under the Circumstances of the Case, shall appear to the said Commissioners to be reasonable, and as they the said Commissioners or any Three of them shall think fit to direct; and no Person shall be entitled to the Benefit of such Order, unless the Terms and Conditions therein contained shall be complied with. 54 Geo. 3. c. 171. § 2.

Penalty on Officers making collusive Seizures;

23. If any Officer of the Customs shall receive any Bribe or Reward of any Kind, or connive at any false Entry, or make any collusive Seizure or Agreement, or do any

any other Act by which His Majesty may be defrauded, or whereby any Goods prohibited shall be suffered to pass either inwards or outwards, or the Forfeitures and Penalties inflicted by any Act relating to the Customs in America may be evaded, every such Officer shall forfeit £500, and be rendered incapable of serving His Majesty in any Office or Employment, Civil or Military; and if any Person shall give, offer or promise to give, any Bribe or Reward to any Officer of the Customs, to do, conceal, or connive at any Act whereby any of the Provisions relating to the Customs in America may be evaded or broken, such Person shall (whether the Offer, Proposal, or Promise be accepted or performed or not) forfeit £500. 4 Geo. 3. c. 15. § 38.

and upon Officers delaying the Prosecution of Fas. India Goods;

24. If any Officer of the Customs shall seize any East India Goods, and by Fraud or Collusion shall desist from or delay the Prosecution thereof to Condemnation, he shall forfeit £500, and be incapable of holding any Office or Employment under His Majesty. 7 Geo. 1. c. 21. § 9.

or of Sugar, Indigo, or Wine landed without a Warrant.

25. If any Officer of the Customs in any of His Majesty's Colonies or Plantations in America, shall seize any Sugar, Indigo, or Wine, for having been landed without Payment of Duty, or without a Warrant signed by the proper Officer, and by Fraud or Collusion desist from or delay the Prosecution thereof to Condemnation, he shall forfeit £50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1. 7.

Senna,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

Settlers.

Subjects of the United States, with their Fami-

1. If any Person being a Subject of the Territories belonging to the United States shall come from thence

lies, coming to settle in the Bahamas or in the Colonies of North America, may import Household Furniture, &c. Duty-free.

together with his Family to any of the Bahama or Bermuda or Somers Islands, or to any Part of Quebec, Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there; any such Person obtaining a Licence from the Governor, or in his Absence the Lieutenant Governor of the said Islands, Colonies, or Provinces, may import into the same in British Ships, owned and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of Fifty Pounds for every White Person that shall belong to such Family, and the Value of Forty Shillings for every Negro brought by such White Person; and if any Dispute shall arise as to the Value of such Household Furniture, &c. the same shall be determined by the Arbitration of Three British Merchants at the Port where imported; One of such British Merchants to be appointed by the Governor, or in his Absence the Lieutenant Governor, One by the Collector of the Customs, and One by the Person so coming with his Family. 30 Geo. 3. c. 27. § 1.

Sale of such Household Furniture, &c.

2. All Bargains for the Sale of any Household Furniture, &c. so imported, which shall be made within Twelve Calendar Months after the Importation of the same (except in Cases of the Bankruptcy or Death of the Owner thereof) shall be void. 30 Geo. 3. c. 27. § 2.

Certain Persons to take and subscribe the Oath of Allegiance.

3. Every White Person so coming to reside, if above the Age of Fourteen Years, shall immediately after the Arrival take and subscribe the Oath of Alleigance to His Majesty, before the Governor, Lieutenant Governor, or Chief Magistrate at the Place where such Person shall arrive, and at the same Time swear that it is his Intention to reside and settle in such Island or Province; for which Oath such Governor, Lieutenant Governor, or Chief Magistrate shall receive the same Fee as is payable by Law on administering the Oath of Allegiance. 30 Geo. 3. c. 27. § 3.

Sheep. See "Cattle."

The Privileges and Advantages of a British-built or a British-owned Ship, to be confined to Ships herein mentioned.

1. No Ship Foreign-built (except condemned as Prize in any Court of Admiralty, or condemned as forfeited in any Court of Record in Great Britain, or in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence relating to the Slave Trade), nor any Ship built or rebuilt upon any Foreign-made Keel or Bottom in the Manner heretofore allowed, although owned by British Subjects and navigated according to Law, shall be entitled to any of the Privileges of a British-built or a British-owned Ship, which Privileges shall be confined to such Ships only as are wholly of the Built of Great Britain, Ireland, Guernsey, Jersey, and the Isle of Man, or of the British Colonies, Plantations, Islands, or Territories in Asia, Africa, or America; but not to prohibit such Foreign-built Ships as, before the 1st of May 1786, did wholly belong to any of the People of Great Britain or Ireland, Guernsey, Jersey, and the Isle of Man, or of any of the aforesaid Colonies, Plantations, Islands, or Territories, as the right Owners thereof, navigated according to Law, and registered in manner hereinafter directed, from continuing to enjoy the Privileges they have hitherto enjoyed, or from importing or exporting such Goods as may now be legally imported or exported by such Ships into and from such Places as are now by Law allowed, and under such Rules, Regulations, and Restrictions as have heretofore been made touching such Foreign-built Ships, and subject to such Duties as have been imposed on any Goods imported or exported as aforesaid in such Foreign-built Ships; and not to deprive any Ship which before the passing of this Act hath been built or rebuilt upon any Foreign-made Keel or Bottom, and which before the said 1st May 1786 was duly registered as a British Ship, from continuing to enjoy any Privilege to which such Ship is now by any Law or Usage entitled; nor to prevent any such Ship, which shall have been begun to be repaired or rebuilt before the said 1st May 1786, from being registered according to this Act, by an Order under the Hands of the Commissioners of the Customs in England, or any Four of them, or of the Commissioners of the Customs in Scotland or any Three of them, which Order the said Commissioners are empowered to grant, if it shall be made appear to their Satisfaction, upon Oath, that such Ship was stranded

by

by the Act of Providence, and not with a fraudulent Intent, and was at the Time of being so stranded the sole Property of Foreigners, or that such Ship was a Droit of Admiralty, and it be in like manner ascertained to the Satisfaction of such Commissioners, that the said Ship, from the Damage received by being so stranded, was rendered unfit to proceed to Sea, without undergoing a thorough Repair in this Kingdom, and that she was necessarily sold for the Benefit of the Foreign Owners, or, being a Droit of Admiralty, was sold under the Authority of an Order or Commission from the Court of Admiralty, and that she was fairly and openly purchased by a British Subject, and being the sole Property of such British Subject, that she hath been so much repaired, that Two Thirds of her at least are of British-built. 26 Geo. 3. c. 60. § 1. 54 Geo. 3. c. 59. § 1.

British Ships captured by the Enemy, not to have such Privileges;

2. No British-built Ship which has been captured by the Enemy, and which shall not have been registered de novo before 1st October 1788, nor any British-built Ship which shall hereafter be captured by the Enemy, shall be registered as a British Ship, or enjoy any of the Privileges belonging to a British-built Ship; but although owned by a British Subject shall be deemed Foreign-built. 48 Geo. 3. c. 70.

unless recaptured by Ships of War or Letters of Marque, or by Ships in Alliance.

3. But every British-built Ship recaptured from the Enemy by any of His Majesty's Ships of War, or by any Ship having Letters of Marque and Reprisal, or by any Ship of War belonging to any State in Alliance with His Majesty, may be registered, and shall be deemed to have the Privileges of a British-built Ship, the same as if it had not been captured by the Enemy. 49 Geo. 3. c. 41.

Repaired abroad, exceeding 15s. per Ton, not to be deemed British, unless necessary to enable the Ship to perform the Voyage on which engaged.

4. No Ship shall be deemed or taken to be British-built, or enjoy the Privileges thereunto belonging, which shall be rebuilt or repaired in any Foreign Port or Place, if such Repairs shall exceed 15s. for every Ton according to the Admeasurement thereof, unless such Repairs shall be necessary by reason of extraordinary Damage sustained during the Absence of such Ship from His Majesty's Dominions, to enable her to perform the Voyage in which she shall be then engaged, and to return in Safety to some Place of the said Dominions; and before such

such Ship shall be repaired so as to exceed the Sum aforesaid, the Master shall report the State and Condition thereof upon Oath, or (being a Quaker) upon Affirmation, to the British Consul or Chief British Officer, if there shall be such Consul or Officer at the Port where it shall be necessary to repair such Ship, and shall cause her to be surveyed by Two fit and proper Persons, to be approved of by such Consul or Chief British Officer, and shall deliver to such Consul or Chief British Officer, in Writing, the Particulars of the Damage sustained, and shall verify upon Oath, or being a Quaker upon Affirmation, (to be administered by such Consul or Chief British Officer), the Particulars and Amount of the Repairs, and that the same were become necessary in consequence of Damage sustained during the Voyage to that Port, to enable such Ship to prosecute the Voyage then intended, and to return to some Place of His Majesty's Dominions, which the Consul or Chief British Officer is required to certify under his Hand and Seal; and if there shall not be any British Consul or Chief British Officer resident at or near the Place where such Repairs may be necessary, then such Survey shall be made by Two fit and proper Persons, to be approved of by Two known British Merchants residing at or near such Place; and the Master shall produce to such Merchants Vouchers of the Particulars and the Amount of the Repairs, whose Certificate of the same shall be of the like Force and Effect as that of the British Consul or Chief British Officer; and in case any Ship shall be repaired in any Foreign Place, the Master thereof shall make Proof upon Oath, or (if a Quaker) by Affirmation, before the Collector or Comptroller or other Principal Officer of the Customs in the Port of His Majesty's Dominions where the said Ship may first arrive (if required by them so to do, and which Oath or Affirmation the Collector and Comptroller or other Principal Officer, or either of them, is empowered to administer), describing the Nature and Amount of the Expence of such Repairs; and if such Expence shall appear to exceed 15s. for every Ton of the Admeasurement, and the said Master shall neglect or refuse to deliver to such Collector and Comptroller or Principal Officer of the Customs, or to one of them, the Certificate so required, the

Particulars of the Damage sustained to be delivered to the Consul or Chief British Officer, and the Necessity of the Repairs to be certified.

the Vessel shall be deemed Foreign-built. 23 Geo. 3. c. 60. § 2.

Subjects residing in a Foreign Country, not entitled to be Owners of British Ships.

5. No Subject of His Majesty, whose usual Residence is in a Country not under the Dominion of His Majesty, shall be entitled (during the Time he shall continue so to reside) to be the Owner in Whole or in Part of any British Ship required to be registered, unless he be a Member of some British Factory or Agent for a Partner in any House of Copartnership actually carrying on Trade in Great Britain or Ireland. 26 Geo. 3. c. 60. § 8.

Altered in Form or Burthen, or from one Denomination to another, must be registered de novo.

6. If any Ship after Registry shall in any Manner be altered in Form or Burthen by being lengthened or built upon, or altered from a Sloop to a Brigantine, or from any one Denomination to another, by the Mode of rigging or fitting, such Ship shall be registered de novo, as soon as she returns to the Port to which she belongs, or to any other Port in which she may legally be registered, on Failure whereof such Ship shall be deemed Foreign. 26 Geo. 3. c. 60. § 24.

Sales to Foreigners void, without the Consent of the Owners of Three fourth Parts in Value.

7. No Foreigner or other Person not being a natural-born Subject of His Majesty shall be entitled to, or shall purchase or contract for, any Part or Share of any British Ship belonging only to the natural-born Subjects of His Majesty, without first obtaining the Consent in Writing of the Owners of Three-fourth Parts in Value at least of such Ship, to be endorsed on the Certificate of the Register of such Ship before Two Witnesses; and all Agreements, Contracts, Purchases, and Sales of any Part or Share of any British Ship belonging only to natural-born Subjects of His Majesty, made, contracted for, or concluded by any such Foreigner or other Person not being a natural-born Subject of His Majesty, without such Consent endorsed as aforesaid, shall be null and void. 13 Geo. 3. c. 26. § 1.

Upon the Transfer of Property in a Ship at Sea, the Master must proceed directly to the Port for which the Cargo is destined, or where she may be registered.

8. As often as any Transfer of Property in any Ship shall be made while such Ship is upon the Sea, on a Voyage to a Foreign Port, in case the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship shall proceed directly to the Port for which the Cargo is destined, or to the Port to which she belongs, or any other Port in which she may be registered, and such Ship may take on board in the Port for which the original Cargo was destined,

destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as may be legally carried to the Port where she may be registered de novo; and if such Transfer shall be made while such Ship is in any Foreign Port, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having delivered the Cargo at the Port for which it is destined, shall sail from such Port to the Port to which she belongs, or to any other Port in which she may be registered, and may take on board at the Port for which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as may be legally carried to such Port where she may be registered de novo; and if such Transfer shall be made while such Ship is on a Fishing Voyage, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship after having finished fishing, without touching at any Foreign Port, except for the Purpose of Repairs or Refreshments, or for delivering any Part of the Cargo, shall sail to the Port to which she belongs, or any other Port where she may be registered, and may take on board at the Foreign Port last described, or any other Port, being in the Course of her Voyage to the Port where she may be registered de novo, such Cargo as may be legally carried to such Port; and such Ship shall be registered de novo as soon as she returns to the Port to which she belongs, or to any other Port in which she may be registered; on Failure whereof such Ship shall be deemed Foreign, and shall not again be registered, unless the Commissioners of the Customs, or the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or Jersey, or of any British Plantation, on Consideration of the special Circumstances of the Case, think fit to order the Ship to be registered; provided that the Regulations required by the Laws in force concerning the first Registry of Ships shall be complied with; and that in no Case of the Transfer of Property, in whole or in part, the Ship shall be registered de novo, unless she shall return to the Port to which she belongs, or to such Port in which she may be registered de novo, within 12 Months

On Failure whereof the Ship is to be deemed Foreign, and not again registered unless by special Order.

Months after the Date of such Transfer, if such Ship shall not be on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, or within Two Years if on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, at the Time of such Transfer taking place, except by Order of the Commissioners, Governor, &c. upon special Representation of the Circumstances of the Case, in manner before authorized. 34 Geo. 3. c. 68. § 22.

Not registered as directed by 26 Geo. 3. to be deemed Alien Ships.

9. All Ships which by 26 Geo. 3. [illegible] are declared not to be entitled to the Privileges of British-built or British-owned Ships, and all Ships not registered according to that Act, shall, although owned by British Subjects, be deemed Alien Ships, and subject to the same Penalties and Forfeitures as Alien Ships in the like Cases are or shall be liable to. 27 Geo. 3. c. 19. § 13.

Not to lade or unlade until the Arrival made known to Governor, and Invoice of Lading delivered.

10. No Ship coming to any Colony, Territory, or Place to His Majesty belonging, or in His Possession, shall lade or unlade any Goods until the Master shall have first made known to the Governor, or such Officer as shall be by him thereunto authorized, the Arrival of the Ship, with her Name and the Name of the Master, and shall have shewn that she is British-built, and registered and navigated according to Law, and have delivered to such Governor or Officer a true Inventory or Invoice of her Lading, with the Places in which the Goods were laden; on Forfeiture of the Ship, and of all Goods the Manufacture of Europe as were not laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 3 & 4 Ann. c. 6. § 2. 7 & 8 W. 3. c. 22. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. Art. 6.

Not to be deemed qualified to trade until Master shall have made Oath to Particulars herein mentioned.

11. No Ship required to be registered, and carrying any Goods to or from the British Plantations in America, or to or from one Plantation to another, shall be permitted to trade, or be deemed qualified for that Purpose, until the Master shall upon Oath (or in case of a Quaker, upon his solemn Affirmation), before the Governor or Collector of the Customs of the Plantation where he shall arrive, give a true Account of the Name and Burthen thereof, and other Particulars, according to the Form following; videlicet,

'A. B.

'A. B. maketh Oath (or, if a Quaker, solemnly affirms), 'That the Ship called the whereof he this 'Deponent or Affirmant is Master, or hath the 'Charge or Command during the present Voyage, 'being of the Burthen of Tons, came last 'from , and that she is, as he verily 'believes, the same Ship described, meant, and in- 'tended in and by the Certificate now produced by 'him, and that the same does now, as he believes, 'belong wholly to His Majesty's Subjects, and that 'no Foreigner has, directly or indirectly, any Share, 'Property, or Interest therein, to his Knowledge or 'Belief.' 15 & 16 Geo. 3. c. 31. § 1.

'2. And in case any Ship shall unload any Goods in any of His Majesty's Plantations in America, before such Proof shall be made, such Ship shall be forfeited and prosecuted in like manner as if she had not been registered. 15 & 16 Geo. 3. c. 31. § 1.

The Masters to make Entry of the Ship with the principal Officers before proceeding to the Place of unloading;

13. The Master of every Ship arriving in any British Colony or Plantation in America shall, before he proceeds to the Place of unloading, come directly to the Custom House for the Port or District where he arrives, and make a just and true Entry, upon Oath, before the Collector and Comptroller or other principal Officer of the Customs there, of the Burthen, Contents, and Lading of such Ship, with the particular Marks, Numbers, Qualities, and Contents of every Parcel of Goods therein laden, to the best of his Knowledge; also where and in what Port she took in her Lading, of what Country built, how manned, who was Master during the Voyage, and who are Owners thereof, and whether any and what Goods, during the Course of such Voyage, had or had not been discharged out of such Ship, and where; and the Master of every Ship going out from any British Colony or Plantation in America, before he shall lade any Goods to be exported, shall in like Manner enter and report outwards such Ship, with her Name and Burthen, of what Country built, and how manned, with the Names of the Master and Owners thereof, and to what Place he intends to pass or sail; and before he shall depart with such Ship, he shall also deliver unto the Collector and Comptroller or other principal Officer of the Customs at the Port or Place where he shall lade, a Content in Writing under his Hand of the Name of every

and before Departure, to deliver a Content;

and whether coming in or going out, to answer Questions upon Oath.

every Person who shall have laden any Goods, together with the Marks and Numbers; and either coming into or going out of any British Colony or Plantation, whether laden or in ballast, the Master shall publicly in the open Custom House, to the best of his Knowledge, answer upon Oath to such Questions as shall be demanded of him by the Collector and Comptroller, or other principal Officer of the Customs, concerning such Ship[illegible] the Destination of her Voyage, or concerning any G[illegible]den on board, upon Forfeiture of £100 Sterling [illegible]ney of Great Britain for every Neglect; to be prosecuted, recovered, and divided in the same manner, and by the same Rules and Regulations, as other pecuniary Penalties for Offences against the Laws of the Customs or Trade of His Majesty's Colonies in America. 7 Geo. 3. c. 46. § 9.

None but British-built, or condemned as Prize, or under the Slave Trade Acts, are to import or export Goods into or from the British Colonies.

14. No Goods shall be imported into or exported out of any Colony or Plantation in America belonging to or in the Possession of His Majesty, or shall be laden in or carried from any one Port or Place in the said Colonies or Plantations to any other Port or Place in the same, or to Great Britain or Ireland, in any Ship but what is of the Built of Great Britain, Ireland, the Islands of Guernsey, Jersey, the Isle of Man, or some of the Colonies, Plantations, or Territories in Asia, Africa, or America, belonging to or in the Possession of His Majesty, except Ships taken by any of His Majesty's Ships of War, or by any Private or other Ship, and condemned as lawful Prize in any Court of Vice Admiralty, and also except Ships condemned as forfeited in any Court of Record in Great Britain, or in any Court of Admiralty or Vice Admiralty, for any Offence relating to the Slave Trade; such Ships respectively being owned by British Subjects, navigated and registered according to Law, on Forfeiture of all Goods otherwise imported, as also the Ship; and the Commanders of Ships of War are to seize as Prize all Ships offending, and to deliver them to the Court of Admiralty. 12 Car. 2. c. 18. § 1. 7 & 8 W. 3. c. 22. § 2. 26 Geo. 3. c. 60. § 10. 27 Geo. 3. c. 19. § 13. 39 & 40 Geo. 3. c. 67. Art. 6. 54 Geo. 3. c. 59. § 1.

For the Regulations, Restrictions, Penalties, and Forfeitures respecting the Navigation and Registry of British Ships,

See Navigation of British Ships.
Registry of British Ships.

But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 14.) is to prevent

(1.) Ships belonging to any of the Inhabitants of the United States of America from coming in Ballast to the Turks Islands, Nassau, Exuma or Crooked Island, for the Purpose of being there laden with Salt. 28 Geo. 3. c. 6. § 5, 6, 7.

But American Ships may export Salt from certain Islands.

See SALT.

(2.) Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic Wood for Dyers' Use, Hides, Skins, Tallow, Furs, Tortoiseshell, Hardwood or Mill Timber, Mahogany Wood for Cabinet Ware, Horses, Asses, Mules, Cattle, Corn, Bullion, Diamonds and Precious Stones, Rice, Grain, Flour, Sugar, and Coffee, from being imported into and exported from the Free Ports in the West Indies, in any Foreign Ship, being owned and navigated by Persons inhabiting any Colony or Plantation in America, or Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 48 Geo. 3. c. 125. 50 Geo. 3. c. 21. 52 Geo. 3. c. 99. 54 Geo. 3. c. 48.

Ships owned and navigated by Persons inhabiting Colonies under Foreign European Sovereigns, may import and export Articles into and from the Free Ports;

See FREE PORTS.

15. (3.) Any Foreign Ship described in 45 Geo. 3. c. 57. from coming in Ballast or importing into any Port of the Bahama Islands, where there is a Custom House, the Articles allowed in the said Act to be imported into the Ports therein mentioned, and also exporting the Articles allowed by the said Act to be exported in Foreign Vessels, or exporting Salt, subject to the Duty of Tonnage and under the Regulations of 28 Geo. 3. c. 6.—52 Geo. 3. c. 99.

and import and export certain Goods into the Bahamas.

See SALT.

FREE PORTS.

(4.) Sugar, Coffee, Rum, or Molasses, the Produce of any British Colony in the West Indies, imported into the Island of Bermuda in any British Ship, from being exported from the Port of Saint George or the Port of Hamilton in the said Island to any Part of the Territories of the United States of America, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28.

Ships in Amity may export certain Articles from Bermuda to the United States;

(5.) Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards and Plank, Timber, Shingles, and Lumber, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock, Bread,

and Tobacco, &c. from the United States into Bermuda;

Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Production of any of the Territories of the United States of America, from being imported from the said Territories into Saint George or Hamilton, in the Island of Bermuda, in any Foreign Ship belonging to any State in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50.

also Fruit and Vegetables.

(6.) Fruit or Vegetables the Growth of the United States from being imported into the Ports enumerated in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Ships of the Description mentioned in the said Acts, under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures, therein provided. 57 Geo. 3. c. 28. § 1.

(6 a.) Rosin, the Produce or Manufacture of the United States, from being imported from thence into Bermuda, nor prevent Articles the Produce or Manufacture of the said Island, also all Articles whatever which shall have been legally imported into the same in any British Vessel, from being exported to the said States in such Vessels, and under such Regulations, Penalties, and Forfeitures, as are provided in 52 Geo. 3. c. 79. 53 Geo. 3. c. 50. and 57 Geo. 3. c. 28.—59 Geo. 3. c. 55.

Dutch Ships may import from the Netherlands, Supplies for the Estates of Dutch Proprietors in Guiana;

(7.) The usual and necessary Articles of Supply for the Estates of Dutch Proprietors in the Colonies of Demerara, Berbice, and Essequibo in the Province of Guiana in South America, from being exported from the Netherlands into the said Colonies respectively, on board any Ship being the Property of Subjects of the King of the Netherlands, wherever built, and without Restriction or Limitation as to the Mariners navigating the same, for the Space of Five Years, commencing from the 1st Day of January 1816; but the Master of every such Ship shall produce to the proper Officer of His Majesty's Customs in the said Colonies, satisfactory Proof of the said Ship being owned by a Subject of the King of the Netherlands; provided that the said King of the Netherlands may, at any Time before the Expiration of the said Five Years, direct that such Trade shall be carried on only in such Ships as are Dutch-built, and whereof the Master and Three-fourths of the Crew are the Subjects of His said Majesty; provided also that after the Expiration of the Five Years no such Trade shall be carried on, except in Ships Dutch-built, and whereof the Master

But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 14.) is to prevent

ter and Three Fourths of the Crew are Subjects of His said Majesty. 56 Geo. 3. c. 91. § 3, 4. 6.

(8.) The Produce of the Estates of Dutch Proprietors in the said Colonies of Demerara, Berbice, or Essequibo in Guiana, from being exported from the said Colonies to the Netherlands, on board such Ships as are described in the preceding Article, No. 7. 56 Geo. 3. c. 91. § 4. 6.

and export the Produce of such Estates to the Netherlands.

(9.) Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, and Tobacco; from being imported into such Ports as shall be specially appointed for that Purpose by His Majesty within the Provinces of Nova Scotia or New Brunswick, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty. 58 Geo. 3. c. 19. § 1.

Ships of States in Amity may import Scantling, &c. into Ports to be approved in Nova Scotia or New Brunswick;

15.

But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 14.) is to prevent

See NOVA SCOTIA AND NEW BRUNSWICK.

(10.) Gypsum, Grindstones, or other Produce or Manufacture of the said Provinces of Nova Scotia or New Brunswick, and any Produce or Manufacture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods which have been lawfully imported into the said Provinces, from being exported from such Ports as shall be specially appointed for that Purpose by His Majesty within the said Provinces, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty to which the said Articles shall be exported*. 58 Geo. 3. c. 19. § 4.

and export Gypsum, &c. from the said Ports.

See NOVA SCOTIA AND NEW BRUNSWICK.

16. No Ship shall be cleared Outwards for any Colony, Territory, or Place to His Majesty belonging, or in the Possession or under the Dominion of His Majesty in America, unless the whole and entire Cargo of such Vessel shall be laden in Great Britain or Ireland; and any Officer of the Customs may stop any British Ship

Clearing out from Great Britain or Ireland, the whole Cargo must be there laden, and a Cocket or Clearance produced.

* *The Act* 58 *Geo.* 3. *c.* 19. *is to continue in force for Three Years from* 8*th May* 1818, *and until Six Weeks after the Commencement of the then next Session of Parliament.*

arriving from any Part of Europe, which shall be discovered within Two Leagues of the Shore of any of the Colonies, &c. and seize any Goods (except as hereinafter mentioned) for which the Master shall not produce a Cocket or Clearance from the Collector or proper Officer of His Majesty's Customs in some Part of Great Britain or Ireland, certifying that the said Goods were there laden. 4 Geo. 3. c. 15. § 30. 20 Geo. 3. c. 10. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

Counterfeiting, &c. the Documents, or using the same.

17. Any Person who shall counterfeit, alter, or falsify any Cocket or Clearance required by this Act, or shall knowingly or wilfully make use of any Cocket or Clearance so counterfeited, &c. shall for every such Offence forfeit £500, and the same shall be of no effect. 4 Geo 3 c. 15. § 32.

But nothing in 4 Geo. 3. c. 15. &c. is to forfeit for want of such Clearance

18.

Not to prevent the loading of Salt, Wine, Oranges or Lemons at certain Places herein mentioned.

(1.) Salt laden in Europe for the Fisheries in Newfoundland, Nova Scotia, Quebec, or for any other Place to which Salt is allowed to be carried for the Use of the Fisheries; Wines laden in the Madeiras of the Growth thereof; Wines of the Growth of the Western Islands or Azores, and laden there; Oranges or Lemons of the Azores or Madeiras, shipped from thence for Exportation direct to any of the Ports in the British Colonies in North America, in British-built Ships, owned, navigated, and registered according to Law. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1. 57 Geo. 3. c. 89. § 1.

Certain Articles for the Fisheries and Herrings, from Guernsey, Jersey, and Man.

(2.) Goods, the Growth, Produce, or Manufacture of Great Britain, Ireland, Guernsey, or Jersey, fit and necessary for the Fisheries carried on in any of the British Colonies, shipped by the Inhabitants of Guernsey or Jersey; Tools or Implements necessary for the Fishery manufactured in the Isle of Man, or Herrings cured there, and shipped from the said Isle. 9 Geo. 3. c. 28. § 1. 12 Geo. 3. c. 31. § 5. 12 Geo. 3. c. 58. § 4.

See EUROPE.

Fruit, Wine, Oil, Salt, or Cork from Parts of Europe South of Cape Finisterre, in Ships arriving from the Colonies;

(3.) Fruit, Wine, Oil, Salt, or Cork, laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation direct to certain Colonies in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Part of Europe

Europe with the Articles enumerated in this Act. 51 Geo. 3. c. 97.

See CORK.
FRUIT.
OIL.
SALT.
WINE.

(4.) Corn or Grain laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation to any of His Majesty's Sugar Colonies, on board any Ship having landed a Cargo of Sugar, Coffee, or Cocoa imported from the said Sugar Colonies under the Regulations of this Act. 52 Geo. 3. c. 98. — also Corn and Grain from such Parts of Europe.

See CORN AND GRAIN.
COFFEE.
COCOA.
SUGAR.

18. (5.) Articles requisite as Supplies for the Cultivation of Estates in Demerara, Berbice, or Essequibo, or the Clothing, Maintenance, and Comfort of the Residents thereon, shipped in the Netherlands by the Subjects of the King of the Netherlands, being Dutch Proprietors in such Colonies respectively. 56 Geo. 3. c. 91. § 4. — Supplies for the Estates of Dutch Proprietors in Guiana from the Netherlands.

See DEMERARA.

(6.) Articles enumerated in the following Schedule, shipped at Malta or the Dependencies thereof, or at Gibraltar, on board any British-built Ship, owned, navigated, and registered according to Law, for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. — Certain Articles from Malta or Gibraltar.

See GIBRALTAR.
MALTA.

But nothing in 4 Geo. 3. c. 15. or in the other Acts (see No. 16.) is to forfeit for want of such Clearance

SCHEDULE B.

Dry and Wet Fruit, in Brandy & Sugar	In Jars & Bottles.	Figs.
		Raisins.
		Currants.
Pickles in Ditto.		Pistaccio Nuts.
Olives.		Almonds.
		Dates.

18. *But nothing in 4 Geo. 3. c. 15. or in the other Acts (see No. 16.) is to forfeit for want of such Clearance*

Dates.	Safflower.
Capers.	Musk.
Wine.	Incense.
Brandy.	Essence of Bergamot.
Oil of Olives.	Do. of Citron.
Oil of Almonds.	Do. of Lemon.
Gum Arabic.	Do. of Orange.
—— Mastic.	Do. of Lavender.
—— Myrrh.	Do. of Roses.
—— Sicily.	Do. of Rosemary.
—— Ammoniac.	Marble, } Rough &
Opium.	Alabaster, } Worked.
Manna.	Brimstone.
Senna.	Cork
Cantharides.	Aniseed.
Oris Root.	Cumminseed.
Rhubarb.	Ostrich Feathers.
Mill Timber.	Honey.
Box Wood.	Sponges.
Argol.	Amt
Vermilion.	Coral.
Ochres.	Bullion.
Cinnabar.	Precious Stones.
Orange Buds and Peel.	Pearls.
Juniper Berries.	Corn.
Punk.	Grain.
Pumice Stone.	Meal or Flour.
Emery Stone.	Beans.
Whetstone.	Peas.
Paintings and Prints.	Lentils.
Mosaic Works.	Rice.
Medals.	Maccaroni or Vermicelli.
Lava and Malta Stone for building.	Cascasoo.
Pozzolana.	Parmesan Cheese.
Jalop.	Bologna and other Sausages.
Scammony.	Anchovies.
Quicksilver.	Caviar.
Sarsaparilla.	Botarga.
Saffron.	

Of 50 Tons or under, laden with customable or prohibited Goods, hovering within the Limits of the

19. Where any Vessel of the Burthen of Fifty Tons or under, laden with customable or prohibited Goods, shall be found hovering within the Limits of any Port on the Coasts of any of the Dominions or Territories belonging to the Crown of Great Britain, and not proceeding on

on her Voyage for Foreign Parts, Wind and Weather permitting, any Officer of the Customs may go on board, and take an Account of the Lading, and take Security from the Master, by his own Bond to His Majesty in Treble the Value of such Foreign Goods then on board, with Condition that such Vessel (as soon as Wind and Weather and her State and Condition shall permit) shall proceed regularly on the Voyage, and land such Foreign Goods at some Foreign Port or Ports; and if such Master shall upon Demand refuse to enter into such Bond, or having entered into the same shall not depart or proceed regularly on such Voyage (as soon as Wind and Weather and the State and Condition of the Vessel shall permit) unless suffered to make a longer Stay by the Collector, or (in his Absence) the Principal Officer of such Port, not exceeding Twenty Days, then all the Foreign Goods on board shall, by Direction of the Collector or other principal Officer, be brought on Shore and secured; and in case the Goods are customable, the Duties shall be paid, and any prohibited Goods, or other Goods liable to Forfeiture, which may be found on board, shall be forfeited, and the Officers of the Customs shall prosecute the same, as also the Vessel, in case she shall be liable to Condemnation; and after the Goods are secured, such Bond shall be void, and delivered up without Fee or Reward; and not being otherwise discharged, shall, on a proper Certificate returned under the Common Seal of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of Two known British Merchants upon the Place, that such Goods were there landed, or upon Proof by credible Persons that such Goods were taken by Enemies or perished in the Seas (the Examination and Proof thereof being left to the Judgment of the Commissioners of Customs), shall be vacated and discharged. 5 Geo. 1. c. 11. § 6. 3 Geo. 3. c. 22.

Ports and not proceeding on the Voyage.

20. If any Foreign Ship shall be found at Anchor, or hovering within Two Leagues of the Shore of any Colony, Territory, or Place in the Possession of or under the Dominion of His Majesty in America, and shall not depart from the Coast and proceed upon her Voyage to some Foreign Port or Place within 48 Hours after the Master of such Ship shall be required so to do by any Officer of His Majesty's Customs (unless in case of any unavoidable Necessity and Distress of Weather), such Ship, with all the Goods therein laden, shall be forfeited,

Foreign Ships hovering within Two Leagues of the Shore, and not departing within 48 Hours after being required so to do.

whether Bulk shall have been broken or not, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 33.

Not to extend to French Ships on certain Parts of Newfoundland.

21. But not to extend to any Ship belonging to the Subjects of the French King, which shall be found fishing and not carrying on any illicit Trade on that Part of the Island of Newfoundland, which stretches from Cape Bonavista to the Northern Part of the Island, and from thence running down to the Western Side as far as Point Riche. 4 Geo. 3. c. 15. § 34.

In the Slave Trade, not to be cleared out in any of His Majesty's Dominions.

22. No Ship shall be fitted out in any Part of His Majesty's Dominions for the Purpose of being employed on the African Slave Trade, or in any of the Trading or Concerns prohibited and declared to be unlawful by these Acts, or to take on board any Goods to be carried to Africa, to be there bartered for Slaves. 46 Geo. 3. c. 52. 47 Geo. 3. c. 36.

See SLAVES.

Goods may in certain Cases be brought on Shore to be deposited in the Warehouse.

23. The Officers of the Customs and their Deputies may go aboard, as well Ships of War as Merchant Ships, and from thence bring on Shore all Goods prohibited or uncustomed, except Jewels, if they be outward-bound; and if they be Ships inward-bound, may bring on Shore into His Majesty's Storehouse all small Parcels of Goods which shall be found in Cabins, Chests, Trunks, or other Small Packages, or in any private or secret Place, in or out of the Hold, which may occasion a just Suspicion that they were intended to be fraudulently conveyed away, and all other Sorts of Goods for which the Duties were not paid within Twenty Days after the first Entry of the Ship, to remain in the Storehouse until the Duties be satisfied, unless the Officers shall see a just Cause to allow a longer Time; and the Officers and their Deputies may remain aboard until all the Goods are delivered; and if any Master, Purser, or Boatswain, or other, taking Charge in any Ship, or any other Person, shall suffer any Truss, Bale, Pack, Fardel, Cask, or other Package to be opened on board the Ship, and the Goods therein to be embezzled, carried away, or put in any other Form or Package after the Ship comes into the Port of her Discharge, in every such Case the said Master, Purser, Boatswain, or other Person, shall forfeit £100. 13 & 14 Car. 2. c. 11. § 4. 7 & 8 W. 3. c. 22. § 6.

Officers may remain on board.

Penalty on altering Packages and embezzling Goods.

Goods found after Clearing.

24. In case after the clearing of any Ship and discharging the Watchmen or Tidemen from Attendance there-

thereupon, there shall be found on board any Goods which have been concealed from the Knowledge of the Officers, and for which the Duties due upon the Importation thereof have not been paid, the Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6.

Found concealed after the Master has made his Report, and not included therein.

25. All Goods which shall be found concealed in any Place on board any such Ship at any Time after the Master thereof shall have made his Report to the Collector or other proper Officer of the Customs, and which shall not be comprized in the said Report, shall be forfeited, and may be seized and prosecuted by any Officer of the Customs; and the Master (in case it can be made appear that he was anywise consenting or privy to such Fraud or Concealment) shall forfeit treble the Value of the Goods so found. 4 Geo. 3. c. 15. § 36.

No Goods to be laden for another British Colony without a Sufferance, and a Cocket to be taken out;

26. No Goods shall be laden on board any Ship in any of the British Colonies or Plantations in America, to be carried from thence to any other British Colony or Plantation, without a Sufferance or Warrant first had and obtained from the Collector or other proper Officer of the Customs at the Port or Place where such Goods shall be intended to be put on board; and the Master of such Ship shall take out a Cocket expressing the Quantity and Quality of the Goods, and Marks of the Packages so laden, with the Merchants Names by whom shipped, and to whom consigned; and if they are Goods liable to Duty upon Importation into or Exportation from the said Colonies or Plantations, the Cocket shall distinctly specify that the Duties have been paid for the same, referring to the Times or Dates of Entry, and Payment of Duties, and by whom they were paid; which Cocket shall be produced by the Master to the Collector or other principal Officer of the Customs at the Port or Place where the Ship shall arrive, in any of the British Colonies or Plantations in America, before any Part of the Goods are unladen; and if any Goods shall be shipped without such Sufferance, or the Ship shall depart and proceed on her Voyage without such Cocket, or the Goods shall be landed before such Cocket is produced at the Port or Place of Discharge, or if the Goods do not agree in all respects therewith, they shall be forfeited; and any Officer of the Customs may stop any such Ship which shall be discovered within Two Leagues of the Shore of any of the British Colonies or Plantations

to be produced at the Port of Arrival.

Ships within Two Leagues of the Shore may be detained, if Cockets not produced.

tions in America, and seize all Goods which shall be found on board for which no such Cocket shall be produced to him. 4 Geo. 3. c. 15. § 29.

Documents not required in certain Cases.

27. Not to require any Sufferance or Cocket for any Goods the Product or Manufacture of the British Colonies or Plantations in America, which are not by any Act of Parliament made in Great Britain liable to Duty upon the Importation into or Exportation from the said Colonies or Plantations, and are not prohibited to be exported from thence, and which shall be laden in any Boat, Flat, Shallop, or other Vessel without a Deck, not exceeding Twenty Tons Burthen, in order to be carried within any River, Lake, or other Inland Waters within the said Colonies or Plantations, and not carried out to Sea further than One League from the Shore. 5 Geo. 3. c. 45. § 25.

Counterfeiting Documents, or using the same.

28. Any Person who shall counterfeit, alter, erase, or falsify any Affidavit, Certificate, Sufferance, Cocket, or Clearance required by this Act, or shall knowingly or wilfully make use of the same, shall forfeit £100, and such Affidavit, &c. shall be invalid and of no Effect. 4 Geo. 3. c. 15. § 32.

Masters to take Certificates of having given Bond, which are to be delivered up at the Port of Arrival.

29. Every Master of any Ship shall, before he departs from any British Colony or Plantation where he receives his Lading, take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (which they are to grant without Fee or Reward), that Bond hath been given pursuant to the Directions of these or any other Acts of Parliament, as the Case shall require; and the Master of such Ship shall keep such Certificate in his Custody till the Voyage is completed, and shall then deliver the same up to the Collector or other Chief Officer of the Customs at the Port or Place where he shall discharge his Lading in Great Britain, Ireland, or any British American Colony or Plantation, on Forfeiture of £100 for every Offence. 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Within Two Leagues of the Shore not producing such Certificate.

30. If any British Ship laden with any Goods of the Produce or Manufacture of any British Colony or Plantation in America, shall be discovered by any Officer of His Majesty's Customs within Two Leagues of the Shore of any British Colony or Plantation in America, and the Master of such Vessel shall not produce a Certificate that Bond has been given for the Landing such Goods in

Great Britain or Ireland, or some other British Plantation; or if he shall not produce such Certificate to the Collector or other Chief Officer of the Customs where he shall arrive in Great Britain or Ireland, or any British Colony or Plantation, such Ship and all the Goods therein laden shall be forfeited. 4 Geo. 3. c. 15. § 25. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Upon first setting out, to be furnished with a new Set of Sails.

31. Every Ship built in His Majesty's Plantations in America shall, upon her first setting out or being first navigated at Sea, be furnished with one full and complete Set of new Sails, made up of Sail Cloth manufactured in Great Britain or Ireland; and if such Ship shall not on her first setting out be fitted and furnished with a new Set of Sails, properly belonging to such Ship, made of Sail Cloth of the Manufacture of Great Britain or Ireland, the Master shall forfeit £50. 9 Geo. 2. c. 37. § 4. 19 Geo. 2. c. 27. § 11. 39 & 40 Geo. 3. c. 67. Art. 6.

Ships (Stranded.) *

Persons who are required to assist in the Preservation of Ships stranded or in danger of stranding.

1. Upon Application by or on Behalf of the Commander of any Ship stranded, or being in Danger of stranding, the Sheriffs or their Deputies, Justices of the Peace, Mayors, Bailiffs, or other Head Officers of Corporations and Port Towns, Constables, Headboroughs, Tythingmen, Officers of the Customs or Excise, Coroners, and Commissioners of the Land Tax, are required to command the Constables of the several Ports nearest the

---

* *By an Opinion of the Law Officers of the Crown in June 1767, it is considered that these Laws regarding 'Ships stranded, 'extend to and are in force in His Majesty's Colonies and Plantations in America; as the Title of the Act 12 Ann. st. 1. c. 18. 'expressly imports the same to be an Act for preserving Ships 'and Goods forced on Shore or stranded on the Coast of* Her Majesty's Dominions, *and the enacting Part has Words extending the Act to Her Majesty's Dominions, notwithstanding 'the Promulgation of the Law, and some other Provisions in it, 'are applicable only to Great Britain.'*

How far the Clauses of the Act of Ann. and of the other Acts altering and amending the same, here inserted, can be carried into Execution in the British Colonies and Plantations, will depend upon the Nature of the public Establishments at the Colony or Plantation where a Ship or Goods may be stranded, or near which a Ship may be in Distress or in danger of stranding, or where any Offences may be committed.

Place

Place where such Ship shall be in Danger, to summon Persons to assist in preserving such Ship and Cargo; and the Officers of the Customs and Constables may command Ships riding at an Anchor near the Place to assist by their Boats, and as many Hands as they can conveniently spare; and if any Commander shall refuse or neglect to assist, he shall forfeit £100 to the Commander of the Ship in Distress, together with Costs of Suit. 12 Ann. st. 2. c. 18. § 1. 4 Geo. 1. c. 12. § 1. 26 Geo. 2. c. 19. § 9.

Justices may take the Power of the County; and if Persons are assaulted, the Offender to be transported.

2. Any one or more of the Justices, in case of Need, may in the Absence of the High Sheriff, take sufficient Power of the County to repel all unjust Violence, and to enforce the Execution of this Act; and if any Person (lawfully authorized) shall be assaulted, beaten, or wounded for or on account of his acting in the Salvage of any Goods, Vessels, or Effects stranded, wrecked, or cast on Shore, or lying under Water, in any of His Majesty's Dominions, the Offender, upon Conviction at the Assizes at the General or Quarter Sessions for the County where the Offence is committed, shall be transported for Seven Years. 26 Geo. 2. c. 19. § 11, 12.

Who are to give Orders to the Persons assembled to save Ships or Goods.

3. Persons assembled to save any Ship, Goods, or Effects, shall conform, in the first Place, to the Orders of the Master or other Officers, or Owners, or Persons employed by them; and for want of their Presence or Directions, then to the Orders of the Persons authorized, in the following Subordination; viz. in the first Place, to the Orders of Officers of the Customs; then of the Officers of Excise; then of the Sheriff or his Deputy; then of any Justice of the Peace; then of the Mayor or Chief Magistrate of a Corporation; then of the Coroner; then of the Commissioners of the Land Tax; then of any Chief Constable; then of any Petty Constable, or other Peace Officer, as any of the said Persons shall happen to be present; and any Person wilfully acting contrary to such Orders shall forfeit any Sum not exceeding £5, to be levied by Warrant of a Justice of the Peace; and for Non-payment the Offender shall be committed to the House of Correction for any Time not exceeding Three Months. 26 Geo. 2. c. 19. § 13.

Persons entering the Ship without Leave, hindering the saving of the Ship or

4. If any Person besides those empowered by an Officer of the Customs or his Deputy, and the Constables aforesaid, shall endeavour to enter on board any Ship in Distress without the Leave or Consent of the Commander

mander or other Superior Officer of the Ship, or of the Officer of the Customs, or his Deputy, or of the Constable, or one of them, employed for the Preservation of the Ship; or in case any Person shall molest any of them in the saving of the Ship or Goods, or endeavour to hinder the saving; or when any such Goods are saved, shall deface the Marks of any such Goods before taken down in a Book for that Purpose provided by the Commander and the First Officer of the Customs, such Person shall, within the Space of Twenty Days, make Double Satisfaction to the Party grieved, at the Discretion of the Two next Justices of Peace, or in Default thereof shall by such Justices be sent to the next House of Correction, where he shall be employed in hard Labour for Twelve Months; and any Commander or Superior Officer of the Ship in Distress, or the said Officer of the Customs or Constables on board the same, may repel by Force any such Persons as shall, without such Leave or Consent from the said Commander or Superior Officer, or the Officer of the Customs, or his Deputy, or such Constables as aforesaid, press on board the Ship in Distress, and thereby molest them in the Preservation thereof. 12 Ann. st. 2. c. 18. § 3.

Goods, or defacing the Marks, to make Satisfaction.

Persons who press on board may be repelled by force.

5. Goods found upon any Person that were stolen or carried off from any such Ship in Distress, shall immediately upon demand be delivered to the Owner, or in default thereof the Person on whom found shall be liable to pay Treble the Value, to be recovered by Action at Law. 12 Ann. st. 2. c. 18. § 4.

Goods stolen or carried off to be delivered to the Owner.

6. If any Person shall make or be assisting in the making any Hole in the Bottom or any other Part of any Ship in Distress, or shall steal any Pump belonging to any such Ship, or be aiding or abetting in the stealing such Pump, or wilfully do any thing tending to the immediate Loss or Destruction of such Ship, such Person shall be deemed guilty of Felony without Benefit of Clergy. 12 Ann. st. 2. c. 18. § 5.

Persons doing any thing tending to the Loss of the Ship, deemed guilty of Felony.

7. If any Person shall plunder, take away, or destroy any Goods or Effects belonging to any Ship in Distress, or which shall be wrecked, stranded, or cast on Shore in His Majesty's Dominions, whether any Living Creature be on board or not, or shall plunder, &c. the Furniture, Tackle, Apparel, Provision, or Part of such Ship, or beat or wound with Intent to kill, or obstruct the Escape of any Persons endeavouring to save their Lives from such

Persons plundering or destroying any Goods or Part of the Ship, or wounding or obstructing the Escape of Persons, or putting out false Lights, deemed guilty of Felony.

such Ship, or put out false Lights with Intent to bring any Ship into Danger, being convicted thereof, shall suffer Death as a Felon without Benefit of Clergy. 26 Geo. 2. c. 19 § 1.

If the Goods are of small Value, may be prosecuted for Larceny.

8. But if the Goods or Effects stranded, lost, or cast on Shore are of small Value, and stolen without Circumstances of Cruelty, Outrage, or Violence, the Offender may be prosecuted by Indictment for Petit Larceny. 26 Geo. 2. c. 19. § 2.

Examination to be delivered to Clerk of the Peace.

9. Upon Oath before any Magistrate of such Plunder or Theft, or the breaking of any Ship, the Examination taken thereupon shall be delivered to the Clerk of the Peace of the County, Riding, or Division wherein the Fact was committed, who shall cause the Offender to be proceeded against. 26 Geo. 2. c. 19. § 8.

Warrant may be granted to search for Goods carried away, and which are to be delivered to the Owners.

10. Upon Information on Oath before a Justice of the Peace of any Part of the Cargo or Effects of any Ship lost or stranded upon or near the Coasts of any of His Majesty's Dominions being unlawfully conveyed away, or concealed in any Place, or of some reasonable Ground of Suspicion thereof, such Justice may grant his Warrant for searching for such Goods; and if they are found in Custody of any Person not legally entitled to keep them, and if the Owner or Occupier of the Place, or the Person in whose Custody they are found, shall not immediately deliver them, upon Demand, to the Owner or Person lawfully authorized to demand them, or not giving a good Account how he came by them, such Person shall be committed to Gaol for Six Months, or until he pays the Owner Treble the Value of the Goods. 26 Geo. 2. c. 19. § 3.

Offered for sale, may be seized by the Person to whom offered.

11 Such Goods suspected to have been unlawfully taken away and offered to Sale, may be seized by the Person to whom they are offered, or by any Officer of the Customs or Excise, or any Peace Officer, who shall carry them or give Notice of the Seizure to a Justice of the Peace; and if the Person who offered them to Sale does not within Ten Days prove to the Satisfaction of the Justice the Property to be in him, or the Person who employed him, the Goods shall, by Order of the Justice, be delivered over to the Use of the Owner, upon Payment of a reasonable Reward for the Seizure, to be ascertained by the Justice, who is also to commit the Person who offered them to Sale to Gaol for Six Months, or until he has paid Treble the Value of the Goods to the Owner. 26 Geo. 2. c. 19. § 4.

12. In

Persons saving any Ship or Goods, to carry them to some Place of safe Custody, and give Notice to some Justice.

12. In case any Person not employed by the Master, Mariners, or Owners, or Persons lawfully authorized, in the Salvage of any Ship or Goods, shall, in the Absence of Persons so employed, save any Ship, Goods, or Effects, and shall cause them to be carried into Port, or to any Custom House near, or other Place of safe Custody, immediately giving Notice thereof to some Justice of the Peace, Magistrate, or Custom House or Excise Officer, or shall discover to them where such Effects are wrongfully bought, sold, or concealed, such Person shall be entitled to a reasonable Reward from the Master or Owners; to be adjusted in case of Disagreement in the Manner herein-after prescribed. 26 Geo. 2. c. 19. § 5.

How Salvors to be rewarded.

13. Persons acting in the Preservation of any such Ship or the Cargo shall be rewarded within 30 Days, on Default whereof the Ship and Cargo may be detained by the Officers of the Customs; and in case of Dispute about the Quantum and Reward for such Service, Three neighbouring Justices of the Peace may adjust the same; provided that if no Person appears to claim the Goods saved, the Chief Officer of the Customs in the next Port shall apply to Three of the nearest Justices of the Peace, who shall put him or some other responsible Person in Possession thereof; and if not claimed within Twelve Months, the Goods shall be publicly sold (or, if perishable, forthwith sold), and after Deduction of Charges the Residue shall be transmitted into the Exchequer, there to remain for the Proprietor, who, upon Proof of his Right to the Satisfaction of One of the Barons, shall upon his Order receive the same out of the Exchequer. 12 Ann. st. 2. c. 18. § 2. 4 Geo. 1. c. 12. § 1. 26 Geo. 2. c. 19. § 16.

Goods no: claimed, to be sold.

Justices to give Notice for a Meeting of the Sheriff, &c. to examine Persons on Oath, and adjust Salvage.

14. The Justice of the Peace, Mayor, Bailiff, Collector of the Customs, or Chief Constable nearest the Place where any Ship or Goods may be stranded or cast away, shall forthwith give public Notice for a Meeting of the Sheriff or his Deputy, the Justices of the Peace, Mayors, or Chief Magistrates of Towns Corporate, Coroners, and Commissioners of the Land Tax, or any Five of them, who are required to give Aid in Execution of this Act and 12 Ann. sess. 2. c. 18., to examine Persons upon Oath concerning the Ships and Effects stranded or cast away, or the Salvage, which they are to adjust and distribute among the Persons concerned in case of Disagreement; and every such Sheriff, &c. who attends the Meeting,

Meeting, shall be paid 4s. a Day for his Expences out of the Goods saved. 26 Geo. 2. c. 19. § 6.

If Salvage not paid, the Officers may borrow Money to satisfy the same.

15. The Charges and Rewards for Salvage not being paid, or Security given for the same, within Forty Days after the Service performed, the Officer of the Customs concerned in such Salvage may borrow Money to satisfy the same, upon a Bill of Sale under his Hand and Seal of the Ship or Cargo saved, or such Part as shall be sufficient, redeemable nevertheless upon Payment of the Principal borrowed and Interest at £4. per Cent. per Annum. 26 Geo. 2. c. 19. § 7.

Persons who can give any Account of the Ship, to be examined on Oath.

16. The Officer of the Customs who acts in Preservation of any Ship in Distress, or the Cargo, as soon as conveniently may be, shall cause all Persons belonging to the Ship, or others who can give any Account thereof, to be examined upon Oath before a Justice of the Peace, as to the Name and Description thereof, the Name of the Commander and Owners, and Owners of the Cargo, and of the Port from and to which she was bound, and the Occasion of the Distress; which Examination shall be taken in Writing, and a Copy delivered to the Officer of the Customs, with a Copy of the Account of the Goods, who is to transmit the same to the Secretary of the Admiralty, to be published in the next London Gazette, for Information of the Persons concerned. 26 Geo. 2. c. 19. § 15.

Right to Wreck or Goods flotsam, jetsam, or lagan.

17. Nothing contained in these Acts is to prejudice His Majesty, or any Person claiming under Him by Patent or Grant, in relation to any Right which His Majesty or such Person may have to any Wreck, or Goods flotsam, jetsam, or lagan. 12 Ann. st. 2. c. 18. § 3. 26 Geo. 2. c. 19. § 14.

How Salvage to be adjusted in Cases where the Salvors act under the Authority of the Owners or Persons on board the Ship.

18. All the Means which in virtue of 12 Ann. c. 18. subsist and may now be by Law applied for the conclusively adjusting, and for the recovering of the Quantum of the Gratuities to be paid to Persons acting or being employed in the Salvage of any Ship or Goods, in Cases where Application shall have been first made to Officers of the Customs or other the Officers therein mentioned, and Assistance shall have been thereupon rendered and had in pursuance of that Act, shall be applicable and available in like manner in cases where the Salvors shall have acted under and by the mere Employment and Authority of the Commander or other Superior Officers, Mariners, or Owners of any Ship in Distress, although no such Application

cation shall have been made to, nor any Authority or Assistance derived from, any Officers of the Customs or other Officers mentioned in 12 Ann. c. 8.; and upon Payment, or Tender and Refusal, of the Quantum of Gratuities to be paid to the several Persons, or (in case such Payment or Tender cannot be made) on Security given for the due Payment thereof, to the Satisfaction of the Justices who shall have adjudged such Gratuities, it shall not be lawful for any Officer of the Customs, or other Person or Persons having the Possession or Custody of such Ship, Vessel, or Goods, any longer to retain the Possession, by Reason or Pretence of any Claim or Right to a Compensation or Gratuity for such Salvage, or for having acted or been employed therein. 48 Geo. 3. c. 130. § 21.

How to be adjusted in case of Disagreement between the Salvors and Owners.

19. Provided that in Cases where the Salvors shall have acted without Application made to, and without any Authority or Assistance derived from, any Officer of the Customs, or other Officer in the said Act mentioned, and the Commander or other Superior Officer, Mariners, or Owners of such Ship, or the Person whose Goods shall be saved, or their Agents, shall disagree with such Salvors touching the Gratuity deserved, the Commander of such Ship so saved, or the Owner of the Goods, or Merchant interested therein, or their Agents, and such Salvors, may nominate Three of the neighbouring Justices of the Peace to adjust the Quantum of the Gratuity to be paid; and in case the Parties shall not agree in such Nomination, then on the Application of any of the Parties to any one neighbouring Justice, such Justice shall nominate two other neighbouring Justices, and such Three neighbouring Justices shall adjust the Quantum of the Gratuity to be paid to each Salvor, who shall disagree with such Master, Commanding Officer, Merchant or Owners, or their Agents as aforesaid*. 48 Geo. 3. c. 130. § 22.

Silk (Raw).

Not to be exported, unless to some other

The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said

* *The* 48 *Geo.* 3. c. 130. *is a temporary Law, and continued by* 53 *Geo.* 3. c. 87. *for Seven Years, from* 2d *July* 1813.

Plantation, or to Great Britain or Ireland.

Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the British Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

Slaves.

Recital of Order in Council, dated Aug. 15, 1805.

1. Whereas His Majesty, by His Order in Council bearing Date the Fifteenth Day of August One thousand eight hundred and five, was pleased to order, "That it should not be lawful, except by special Licence as therein mentioned, for any Slave or Slaves to be landed upon any of the Coasts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Jurisdictions, and Territories, of any of the Settlements, Islands, Colonies, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, until further Order; upon Pain that all Slaves so landed or brought contrary to the true Intent and Meaning of that Order, together with the Vessels bringing in the same, or from which the same should be landed, and their Cargoes, should become forfeited to His Majesty, His Heirs and Successors; but the said Order recited, that it might be expedient to permit the Annual Introduction of a limited Number of Slaves under due Regulations, for the Purpose of supplying any Waste that should take place in the Population on particular Estates, from extraordinary or unavoidable Causes, and thereby of keeping up the Cultivation of the Lands already cleared and cultivated; and it was therefore further ordered, that any Number of Slaves, not exceeding Three for every Hundred of the whole Number of Slaves in the said Settlements, Islands, Colonies, and Plantations respectively (Returns whereof were to be made from Time to Time, in pursuance of Instructions to be transmitted by One of His Majesty's Principal Secretaries of State),

State), might be imported in each Year (provided Casualties to that Extent should appear to have taken place in the preceding Year), under Licences to be previously granted by the Governor, Lieutenant Governor, or Officer administering the Government of the said Settlements, Islands, Colonies, and Plantations, from any other of His Majesty's Colonies in the West Indies, into the said Settlements, Islands, Colonies, and Plantations; such Licence, or a Copy thereof, to be produced by the Master of the Ship on which such Slaves are laden, as his Authority for having Slaves on board destined to the said Settlements, Islands, Colonies, and Plantations: Provided always, that until the First Day of January One thousand eight hundred and seven, such limited Importation might be made from other Places than His Majesty's Colonies in the West Indies as aforesaid, and without its being necessary for the Master of the Vessel, if met with at Sea, to produce the said Licence, or a Copy thereof, as his Authority for having the Slaves destined as aforesaid on board, but subject nevertheless to such Licence being first had and obtained as aforesaid, before any Slaves should be permitted to be landed or sold from such Vessel in any of the said Settlements: And, after further reciting that special Instructions would be immediately transmitted by One of His Majesty's Principal Secretaries of State to the Governors, Lieutenant Governors, or Officers administering the Government of the said Colonies, Settlements, and Plantations respectively, containing the Regulations proper for carrying that Order into effectual Execution, directing and empowering them to grant Licences for the Importation of such limited Number of Slaves as aforesaid, subject to such Regulations as in the said Instructions would be provided, it was thereby declared to be His Majesty's further Order, that such Governor, Lieutenant Governor, or other Officer as aforesaid, should be, and they thereby were respectively authorized and empowered to grant such Licences, upon such Terms and Conditions, and subject to such Regulations as, in conformity to and in furtherance of the Object of such Instructions, might from Time to Time be required: And it was thereby further ordered, that the Prohibition therein-before contained should not extend to prevent the importing or landing of any Slaves which should be imported into the said Colonies, Islands, and Plantations,

by Licence first had for importing the same, under the Hand and Seal of His Majesty's Governor or Lieutenant Governor, or Officer administering the Government of the Colony, Settlements, or Plantations into which said Slaves are to be imported, specifying the Ship or Vessel permitted to import the same, in conformity with the Instructions to be received from One of His Majesty's Principal Secretaries of State as aforesaid; but that all Slaves, except such Slaves as may form Part of the Crew of any Vessels, or may be Household Servants to the Passengers therein, which should be landed without such Licence as aforesaid, and without conforming to such Regulations as should be contained therein, should, together with the Vessels bringing the same, or from which the same should be landed, and their Cargoes, become forfeited to His Majesty, His Heirs and Successors; and in case any Vessel should contain more Slaves than the Number permitted to be imported in such Vessel by any such Licence or Licences, such Number of the most valuable of the Slaves on board such Vessel (other than such Slaves as might form Part of the Crew of such Vessel, or might be Household Servants to the Passengers) as should be equal to the Excess beyond the Number mentioned in such Licence or Licences, should be forfeited to His Majesty, His Heirs and Successors, and should be selected and disposed of in such Manner as might be in that Behalf directed by any Instructions from One of His Majesty's Principal Secretaries of State, to be given to the respective Governors, Lieutenant Governors, or other Officers administering the Government of such Colonies, Settlements, and Plantations as aforesaid: And it was thereby further ordered and provided, that nothing therein contained should be extended or construed to extend to the landing, importing, or bringing in of any Slave or Slaves from or by any Vessel which by Stress of Weather or by any other Peril should be driven on the Coast of any such Colonies, Settlements, or Plantations, or compelled to take refuge on such Coast, or within the Creeks and Harbours of such Colonies, Settlements, or Plantations, provided the Slave or Slaves which should be so imported, landed, or brought in as last aforesaid, should be exported to some Place or Places other than any of the Colonies, Settlements, or Plantations to which the said Order applied, within Ten Days from the Importation, landing, or bringing in of the

the same, unless further detained by Stress of Weather, or provided the same should within such Ten Days be sold under the special Licence of the Governor, Lieutenant Governor, or Officer administering the Government of the Colony, Settlement, or Plantation where such Slaves might be, to such Person or Persons as under the Circumstance of his, her, or their Cases (which Circumstances should be inserted in such special Licence) might at the Date thereof be entitled to obtain a Licence or Licences to import such Number of Slaves as he, she, or they should in and by such special Licence or Licences be permitted to purchase: And it was thereby further ordered and declared, that One-third of every Forfeiture which should accrue in consequence of that Order to His Majesty, His Heirs and Successors, should be granted to the Governor, Lieutenant Governor, or Officer administering the Government of the Colony, and One-third to the Party who should inform and prosecute the same:" And whereas it is expedient that the Prohibition contained in the said Order of Council should be enforced and rendered more effectual by such auxiliary Regulations and Remedies as the Authority of His Majesty in Council was insufficient to provide: Be it enacted, that it shall not be lawful to export or send any Slaves (except in such special Cases as are herein-after excepted) from any Part of His Majesty's Dominions to any Island, Settlement, Colony, Plantation, Territory, or Place whatever, belonging to and under the Dominion of any Foreign Sovereign, State, or Power; the Provisions of certain Acts of Parliament made for establishing certain Free Ports in the West Indies, or any other Statute, Law, or Usage to the contrary notwithstanding; and if any Slaves shall be so unlawfully exported or sent, or shall be embarked, put on board, or transhipped at or from any Part of His Majesty's Dominions with Intent to be so unlawfully exported or sent, all Slaves, together with every Ship in which the same shall be so exported, sent, embarked, put on board, or transhipped, shall be forfeited, and may be seized and prosecuted as herein-after provided. 46 Geo. 3. c. 52. § 1.

Not to be exported from His Majesty's Dominions to Foreign Countries.

2. No Subject of His Majesty, or any Person resident within this Kingdom, or any of the Islands, Colonies, Dominions, or Territories thereto belonging, shall export or send, or cause or procure to be exported or sent, or in any Manner aid, abet, or assist in the exporting or

Subjects of His Majesty, or Persons residing in His Majesty's Dominions, not to assist in the Exportation of

Slaves to Foreign Countries.

or sending any Slaves from Africa or elsewhere (except from His Majesty's West India Islands in such special Cases as are herein-after expressly excepted and provided for), to any Island, Colony, Plantation, Territory, or Place whatever, belonging to and under the Dominion of any Foreign Sovereign, State, or Power, or ship, embark, tranship, or put on board, or cause or procure to be embarked, shipped, transhipped, or put on board, or aid, abet, or assist in the embarking, shipping, transhipping, or putting on board any Ship whatever, at Africa or elsewhere, any Slaves (except as aforesaid), with the Intent to the exporting or sending the same to any such Foreign Island, Colony, Plantation, Territory, or Place; and if any Slaves shall be so unlawfully exported or sent, or embarked, shipped, transhipped, or put on board with such unlawful Intent, every such Slave, and every Ship in which the same shall be so unlawfully exported or sent, or embarked, shipped, transhipped, or put on board, so far as any of His Majesty's Subjects, or any Person resident as aforesaid, have any Property, Share, or Interest therein, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. c. 52. § 2.

Importing Slaves contrary to Order in Council, into any Settlement in Amer. or the West Indies which have surrendered to His Majesty's Arms during the present War.

3. If any Slaves shall be landed upon any of the Coasts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Jurisdictions, and Territories of any of the Settlements, Colonies, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, without such Special Licence for landing, importing, and bringing the same as by the said Order in Council is mentioned having been previously obtained, contrary to the Prohibitions contained in the said Order, every such Slave, together with the Ship by or from which the same shall be so landed, imported, or brought, and all her Boats, Guns, Tackle, Apparel, and Furniture, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. c. 52. § 3.

Exporting from or taking on board at British Ports or in British Ships, or on British Account, Slaves with Intent to

4. If any Slaves shall be exported from, or embarked, transhipped, or taken on board any Ship whatever, at any Island, Settlement, Plantation, or Territory under the Dominion of His Majesty, or shall be exported from, or embarked, shipped, transhipped, or taken on board at Africa, or on the Coast thereof, or else-

elsewhere, in any British Ship, or any Ship owned or employed in whole or in part by any of His Majesty's Subjects, or for or on account of any of His Majesty's Subjects, with Intent to be transported or conveyed to any of the said Settlements, Islands, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, and to be there imported or landed without such Special Licence, contrary to the said Order in Council, every such Slave, with the Ship in or by which the same shall be so exported, embarked, shipped, transhipped, or taken on board, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. c. 52. § 4.

import them into any such Settlement, &c. contrary to Order in Council.

5. Any of His Majesty's Subjects, or any Person resident within the United Kingdom, or the Islands, Colonies, or Territories belonging to or in the Possession of His Majesty, who shall import, convey, ship, or tranship, or cause or procure to be imported, &c. or who shall be aiding or assisting in the importing, &c. any Slave contrary to this Act, shall forfeit for each Slave £ 50; but no Penalty or Forfeiture shall be incurred by importing, &c. any Slave, when it shall be proved to the Satisfaction of the Court, that the prohibited Act entirely arose from inevitable Accident, of which Proof shall lie on the Claimant; provided that this Act shall not prevent the Transportation to any Foreign Colony or Place of any Slave who shall have been convicted in any British Island or Colony of any Crime to which the Punishment of Transportation is annexed; but in every such Case a Copy of the Judgment or Sentence, certified by the Court, shall be put on board the Ship in which such Convict shall be transported. 46 Geo. 3. c. 52. § 5.

To forfeit 50l. for each Slave, except in Cases of Accident; but not to extend to Slaves under Sentence of Transportation.

6. All dealing and trading in the Purchase, Sale, or Transfer of Slaves, carried on in, at, or from any Part of Africa, is unlawful; and all Manner of dealing, either by way of Purchase, or of any other Contract or Agreement, relating to any Slaves, or to any Persons intended to be dealt with as Slaves, for the Purpose of their being removed or transported, either immediately, or by Transhipment at Sea, or otherwise, from Africa, or from any Place in the West Indies, or in any other Part of America not being in the Dominion or Possession of His Majesty, to any other Place, is prohibited, and unlawful; and if any of His Majesty's Subjects, or any Person resident

Dealing in Slaves at Africa, or removing them from thence, or from the West Indies, or other Part of America, to any other Place.

sident within the United Kingdom, or any of the Territories thereto belonging or in His Majesty's Possession, shall by himself, or his Factor or Agent, or otherwise, deal or contract for the dealing or transferring of any Slave, or any Person intending to be dealt with as a Slave, contrary to this Act, the Person offending shall forfeit £100 for each Slave, One Moiety thereof to His Majesty, and the other to the Person who shall prosecute for the same. 47 Geo. 3. c. 36. § 1. 51 Geo. 3. c. 23. § 7.

Removing Persons to be dealt with as Slaves from Africa or any Place not in the Possession of His Majesty.

7. No Subject of His Majesty, or any Person resident as aforesaid, (see No. 5.) shall remove, or aid or assist in removing, as Slaves, or for the Purpose of being dealt with as Slaves, any of the Inhabitants of Africa, or of any Territory or Place in America not being in the Dominion or Possession of His Majesty, either immediately, or by Transhipment at Sea, or otherwise, from Africa, or from any such Country or Place to any other Country or Place; and no such Subject or Resident shall receive or confine on board, or be assisting in the receiving or confining on board of any Ship any such Inhabitant for the Purpose of his being so removed, or of his being dealt with as a Slave; and if any Inhabitant of Africa, or of any Territory or Place in the West Indies or America, not being in the Possession of His Majesty, shall be so unlawfully removed, &c. on board of any Ship belonging in the Whole or in Part to, or employed by, any Subject of His Majesty, or Person residing in His Majesty's Dominions, or any Territory belonging to or in the Occupation of His Majesty, for any of the Purposes aforesaid, every such Ship, with her Boats, &c. shall be forfeited, and all Property in any such Slaves or Natives of Africa shall be forfeited; and every Subject of His Majesty, or Person resident as aforesaid, who shall as Owner, Part Owner, Freighter, Shipper or Agent, Captain, Mate, Supercargo or Surgeon, be concerned in removing, &c. for any of the unlawful Purposes aforesaid, any such Subject or Inhabitant, shall forfeit for each Person £100, One Moiety to His Majesty, and the other to any Person who shall prosecute for the same. 47 Geo. 3. c. 36. § 3.

Confined on board for the Purpose of being so removed.

Ships, and all Property in the Slaves, forfeited, and Offenders to forfeit 100l. for each Person.

British Subjects, or Persons residing in His Majesty's Dominions, employing their Ships, Capital, or Credit in the Slave Trade.

8. No Subject of His Majesty, or any Person resident as aforesaid, (see No. 5.) shall invest or employ his Money, Vessel, Goods, or Effects in trading in or carrying Slaves from Africa or elsewhere to any Place under any Foreign Sovereign or State, or to any of the Colonies or Plantations surrendered to His Majesty's Arms during the present

sent War, or knowingly lend any Money, or become Security for the Advance of any Money, Goods, or Effects, for the Purpose of being employed in any such Trade, or Carriage of Slaves, or become Security for any Factor or Agent to be employed in the Sale of Slaves in or for the Use or Supply of any such Foreign Place, or Colony or Plantation surrendered to His Majesty's Arms during the present War, or otherwise engage directly or indirectly in supplying with Slaves any such Foreign Place, or Colony or Plantation surrendered; upon pain that every Person who shall so wilfully employ any Vessel, Goods, or Effects, or so invest, advance, or secure any Sum of Money for any of the Purposes aforesaid, or become Security for any such Factor or Agent, or otherwise engage, as Partner, Factor, Agent, or otherwise, in supplying Slaves contrary to this Prohibition, shall forfeit Double the Value of all the Money, Ships, Goods, and Effects so by him employed, advanced, or secured, to be recovered and applied as is herein-after mentioned; and every Mortgage, Bond, or other Security for the Payment of any such unlawful Loan or Advance, or for any other the unlawful Purposes aforesaid, shall be void; except in the Case of a bonâ fide Purchaser or Holder of any of the said Securities in their Nature negociable, who may have purchased the same without Notice that they were given in Consideration of any of the unlawful Purposes aforesaid. 46 Geo. 3. c. 52. § 6. 51 Geo. 3. c. 23. § 12.

Penalty on effecting Insurances of Slaves, Ships, or Commodities.

9. Any of His Majesty's Subjects, or any Person resident as aforesaid, (see No. 5.) who shall knowingly insure or procure to be insured any Slaves or Commodities, or any Ship employed or to be employed in the trading in or carrying of Slaves from Africa or elsewhere to any Territory or Place belonging to or under the Dominion of any Foreign Sovereign or State, or to any of the Colonies or Plantations which have been surrendered to His Majesty during the present War, shall forfeit £500; and every such Insurance shall be void. 46 Geo. 3. c. 52. § 7. 51 Geo. 3. c. 23. § 7.

Shipping Slaves to Foreign Ships or Factories on the Coast of Africa.

10. No British Ship, or her Boats, Officers, or Mariners, shall be employed in or at Africa, or any Part of the Coast thereof, directly or indirectly, in supplying with Slaves any Foreign Ship or Factory, or any Person concerned for or on account of any Foreign Vessel or Factory, or for any Colony or Territory under the Dominion of any Foreign Sovereign or State; and every Ship

Ship so employed, or the Boats, Officers, or Mariners thereof, with the Consent and Approbation of the Owners so employed, shall, with all her Boats, Guns, &c. be forfeited, and may be seized and prosecuted as is hereinafter mentioned, and the Master shall forfeit £100. 46 Geo. 3. c. 52. § 8. 51 Geo. 3. c. 23. § 7.

Foreign Ships intended to be employed in the African Slave Trade not to be fitted out in His Majesty's Dominions.

11. No Foreign Ship intended to be employed in the African Slave Trade shall be fitted out, manned, or dispatched at or from any Port of this United Kingdom, or any other Part of His Majesty's Dominions, for a Voyage to Africa, although first destined to touch at some other Place; and no Person shall put on board any Foreign Ship, when destined directly or indirectly to Africa, at any Port in this United Kingdom, or any Part of His Majesty's Dominions, any Goods with Intent to be carried to Africa, to be bartered or otherways employed in the African Slave Trade, on Forfeiture of the Ship with all her Boats, &c. and the Goods; and any of His Majesty's Subjects, or any Person resident within His Majesty's Dominions, who shall knowingly fit out, man, or dispatch any such Foreign Ship, or furnish any Goods with the Intent aforesaid, or assist in any such Offence, shall forfeit £100. 46 Geo. 3. c. 52. § 9.

Subjects of His Majesty, or Persons residing in His Majesty's Dominions, concerned therein.

12. No Subject of His Majesty, or any Person resident as aforesaid, (see No. 5.) shall fit out, man, or navigate, or be concerned in the fitting out, &c. any Ship, for the Purpose of being employed in the African Slave Trade, or in any other the Trading or Concerns hereby prohibited; and every Ship fitted out, manned, or employed by any such Subject, or by any Person on his Account, or by his Assistance or Procurement, for any of the Purposes aforesaid, shall, with all her Boats, &c. be forfeited. 47 Geo. 3. c. 36. § 2.

Not to be exported from One British Colony to another, until a Licence is obtained, and Bond given not to carry them to other Places.

13. No Person shall embark or carry any Slaves from one Colony or Territory belonging to or under the Dominion of His Majesty, to any other such Colony, &c. until the Owner or Exporter shall apply in Writing to the Governor, or the Chief Officer of the Customs of the Port from whence it shall be intended to embark the said Slaves, expressing the Number and Quality, and the Place to which he means to carry them (such Place being some Colony or Territory belonging to or under the Dominion of His Majesty into which such Slaves may be lawfully imported without special Licence, or one of the Colonies, &c. surrendered during the present War, for

for importing Slaves into which a special Licence shall have been obtained), and until such Owner or Exporter shall obtain a Licence, specifying the Place of Destination, under the Hand and Seal of the Governor or Chief Officer; but previous thereto, every such Exporter shall give Bond to His Majesty in £50 for every Slave, to the Governor or Chief Officer of the Place, for the true landing the Slaves, and for producing within a limited Time, according to the ordinary Length of the Voyage, a Certificate from the Chief Officer of the Customs of the Place to which conveyed, or in case there be no Chief Officer of the Customs, then from Two of the most eminent British Merchants or Inhabitants, certifying that the said Slaves have been landed and left there, Death or other inevitable Impediment (to be proved by Oath of Two credible Witnesses) excepted. 46 Geo. 3. c. 52. § 13. 51 Geo. 3. c. 23. § 4

If landed in any Foreign Territory, the Penalty of Bond must be paid.

14. If any such Slave shall not be so landed, or if such Certificate shall not be returned, the Bond shall be forfeited and may be put in Suit, and the Owner or Exporter shall not be relieved from the Penalty but on paying £50 for each Slave not certified; nor shall the Party be discharged from any Penalty or Forfeiture incurred by the sending or conveying such Slaves to any Foreign Territory or Place contrary to this Act; but the Bonds shall be void unless prosecuted within Three Years from the Date. 46 Geo. 3. c 52 § 13. 51 Geo. 3. c. 23. § 4.

Not to extend to Negro Sailors or Fishermen, nor to Domestic Slaves attending their Masters at Sea on Voyages to Foreign Parts.

15. Not to prevent any Slave being employed in Navigation, Fishing, or any other his ordinary Business or Occupation upon the Seas, nor to prevent any Slave who shall be really the Domestic Servant of any Person residing in any Plantation or Territory belonging to or under the Dominion of His Majesty, from attending his Owner or Master, or any Part of His Family, by Sea to any Place, whether under the Dominion of His Majesty or of any Foreign State; but if any Slave employed in Navigation, or any Fisherman or Domestic Slave, shall be so employed, or carried from any British Island or Colony to any Foreign Colony or Territory, or to any other British Island or Colony, or to any of the Colonies or Plantations which have surrendered during the present War, the Names and Occupations (except Domestic Slaves attending on the Person of any Passenger on board, not exceeding in Number Two for every Passenger) shall be inserted in or endorsed upon the Clearance or Permit,

Permit, by or in the Presence of the Chief Officer of the Customs of the Place of Clearance, who shall (without Fee) certify that the Slaves so embarked were reported and described to him as Seamen, Fishermen, or Domestic Servants, as the Case may be; and if any Slave shall be found on board, whose Name and Description shall not be inserted in or endorsed upon the Clearance and Permit, and so certified (except as aforesaid), or who shall be untruly or fraudulently therein described, with Intent to elude any of the Prohibitions or Regulations in this Act, every such Slave shall be forfeited, and the Master and Owner, or other Person by whom or by whose Procurement such Slave shall be so untruly and fraudulently described, shall forfeit £50 for each; but not to prevent any Slave from being put on board any Ship by Order of His Majesty's Commander in Chief, in any Colony or Territory belonging to or under the Dominion of His Majesty, in order to be employed in His Majesty's Military or Naval Service, and from being employed as the said Service may require. 46 Geo. 3. c. 52. § 13.

Functions of Governors may be exercised by Governors pro tempore.

16. The granting of Licences, and every Act which the Governor is directed to perform, may be done by the Person executing pro tempore the Office of Governor by Authority from His Majesty, whether under the Title of Governor, Lieutenant Governor, President of the Council, or under any other Stile or Title whatsoever. 46 Geo. 3. c. 52. § 14.

False Oaths deemed Perjury.

17. Any Person who shall commit wilful Perjury, or who shall procure or suborn any Person to commit wilful Perjury, shall suffer the Pains and Penalties for wilful and corrupt Perjury or Subornation of Perjury. 46 Geo. 3. c. 52. § 16.

Inhabitants of Africa, or of any Foreign Territory, carried away and imported into any of His Majesty's Dominions.

18. Any Inhabitant of Africa, or any Territory or Place not being in the Dominion or Possession of His Majesty, unlawfully carried away or removed from Africa, or from the West Indies or America, not in the Dominion or Possession of His Majesty, who shall be imported or brought into any Island, Colony, Plantation, or Territory in the Dominion or Possession of His Majesty, and there sold or disposed of as a Slave, or detained or kept in a State of Slavery, may be seized and prosecuted by such Persons and in such Manner as any Goods unlawfully imported into the same Plantation or Territory may be seized and prosecuted therein, by any Act in force for regulating

regulating the Navigation and Trade of His Majesty's Colonies. 47 Geo. 3. c. 36. § 4.

Subscribing or procuring to be subscribed any unlawful Insurance.

19. All Insurances effected in respect to any of the Dealing, Removing, or Transactions by this Act prohibited, shall be also prohibited and unlawful; and if any of His Majesty's Subjects, or any Person resident as aforesaid, (see No. 5.) shall knowingly subscribe or procure to be subscribed any such unlawful Insurances, he shall forfeit £100 for every Insurance, and Treble the Amount of the Premium; one Moiety thereof to His Majesty, and the other to the Prosecutor. 47 Geo. 3. c. 36. § 5.

Taken as Prize of War, or seized as forfeited, how to be disposed of.

20. All Slaves, and Natives of Africa dealt with or detained as Slaves, which shall be seized or taken as Prize of War, or liable to Forfeiture under any Act for prohibiting the African Slave Trade, shall, for the Purposes only of Seizure, Prosecution, and Condemnation, be adjudged as Slaves and Property, in the same Manner as Negro Slaves have been heretofore considered and adjudged, but the same shall be condemned to the sole Use of His Majesty, for the Purpose only of divesting and barring all other Property or Interest, and shall in no case be liable to be disposed of or dealt with as Slaves by or on the Part of His Majesty, or any Person claiming under Him; but such Officers, Civil or Military, as shall by any Order of the King in Council be empowered to receive, protect, and provide for such Natives of Africa, may enter and enlist any of them into His Majesty's Service, or bind them, whether of full Age or not, as Apprentices, for any Term not exceeding Fourteen Years, to such Persons and upon such Conditions and Regulations as His Majesty shall, by any Order in Council, direct and appoint; and any Indenture of Apprenticeship, duly made and executed by any Person to be for that Purpose appointed by any such Order, for any Term not exceeding Fourteen Years, shall be of the same Effect as if the Party thereby bound had himself, when of full Age, duly executed the same; and every Native of Africa, who shall be so enlisted or entered, shall be treated and dealt with as if he had voluntarily enlisted or entered. 47 Geo. 3. c. 36. § 7. 55 Geo. 3. c. 172. § 7.

Bounty for Slaves condemned as Prize of War.

21. Where any Slaves or Natives of Africa taken as Prize of War by any of His Majesty's Ships of War, or Privateers duly commissioned, shall be finally condemned, there shall be paid to the Captors thereof by the Treasurer

surer of the Navy, in the like manner as the Bounty called "Head Money" is now paid by virtue of 35 Geo. 3. c. 71. such Bounty as His Majesty may have directed by Order in Council, not exceeding £40 for every Man, £30 for every Woman, and £10 for every Child or Person not above 14 Years old, that shall be delivered over in good Health to the Officer appointed to receive and provide for them; which Bounties shall be divided amongst the Officers, Seamen, Mariners, and Soldiers on board His Majesty's Ships of War, or hired armed Ships, in the Manner and Proportion as by His Majesty's Proclamation for granting the Distribution of Prizes shall be directed and appointed, and amongst the Owners, Officers, and Seamen of any Private Vessel of War, in such Manner and Proportion according to any Agreement in Writing they shall have entered into for that Purpose. 47 Geo. 3. c. 36. § 8.

Certificate to be produced to entitle Captors to Bounty.

22. The Numbers of Men, Women, and Children so delivered over, shall be proved to the Commissioners of His Majesty's Navy, by producing a Copy duly certified of the Sentence of Condemnation, of the Numbers of Men, Women, and Children taken and condemned, and also a Certificate under the Hand of the Officer, Military or Civil, appointed as aforesaid, to whom they shall have been delivered, acknowledging that he hath received them, to be disposed of according to His Majesty's Instructions and Regulations. 47 Geo. 3. c. 36. § 9.

In case of Doubt, Claims to be determined by the Judge of the Admiralty.

23. But if Doubts shall arise whether the Party claiming such Bounty is entitled thereto, the same shall be summarily determined by the Judge of the High Court of Admiralty, or by the Judge of any Court of Admiralty in which the Prize shall have been adjudged, subject to an Appeal to the Lords Commissioners of Appeals in Prize Causes. 47 Geo. 3. c. 36. § 10.

Reward for Slaves seized and condemned as forfeited.

24. Upon the Condemnation to the Use of His Majesty of any Slaves or Natives of Africa seized and prosecuted as forfeited (except in the Cases of Seizures made at Sea by the Commanders or Officers of His Majesty's Ships of War), there shall be paid to the Person who shall have prosecuted the same to Condemnation £13 for every Man, £10 for every Woman, and £3 for every Child or Person under the Age of 14 Years, delivered over in good Health, and also the like Sums to the Use of the Governor or Commander in Chief of any Colony or Plantation wherein such Seizure shall have been made;

made; but in Cases of Seizures made at Sea by the Commanders or Officers of His Majesty's Ships of War, there shall be paid to the Commander or Officer who shall so seize and prosecute, for every Man condemned and delivered £20, for every Woman £15, and for every Child or Person under Fourteen £5, subject to such Distribution for the Seizures made at Sea as His Majesty shall think fit to direct by any Order in Council; for which Payments the Officer appointed to receive and provide for such Slaves or Natives of Africa, shall, after the Condemnation and Receipt thereof, grant Certificates in favour of the Governor and Party seizing and prosecuting, or the latter alone (as the Case may be), addressed to the Lords of the Treasury, who, upon the Production of such Certificate, and of an authentic Copy of the Sentence of Condemnation, and also a Receipt under the Hand of such Officer appointed as aforesaid, specifying that such Slaves or Africans have been received in good Health, shall direct Payment out of the Consolidated Fund of the Money specified in such Certificate to the lawful Holders of the same, or the Persons entitled to the Benefit thereof. 47 Geo. 3. c. 36. § 11.

Counterfeiting Documents, or using the same.

25. Any Person forging or counterfeiting any such Certificate, Copy of Sentence of Condemnation, or Receipt, or any Part thereof, or wilfully uttering or publishing the same, knowing it to be forged or counterfeited, with Intent to defraud His Majesty, or any other Person, shall, on Conviction, suffer Death without Benefit of Clergy. 47 Geo. 3. c. 36. § 12.

How Penalties and Forfeitures to be prosecuted, recovered, and disposed of.

26. The pecuniary Penalties or Forfeitures shall be prosecuted and recovered in any Court of Record in Great Britain, or Court of Record or Vice Admiralty in any Part of His Majesty's Dominions wherein the Offence was committed, or in case the Offender shall be resident in any other Place, then in any Part of His Majesty's Dominions where found; and in all Cases of Seizures, the same may be prosecuted and recovered in any Court of Record in Great Britain, or Vice Admiralty in any Part of His Majesty's Dominions, in or nearest to which such Seizures may be made, or to which such Ships, Slaves, Goods, or Effects (if seized at Sea or without the Limits of any British Jurisdiction) may most conveniently be carried for Trial; and all the Penalties and Forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided), shall go to such Persons,

Persons, in such Shares, and may be prosecuted, distributed, and applied in such Manner, and by the same Rules and Directions, as any Penalties or Forfeitures incurred in Great Britain, and in the British Colonies in America, by any Act relating to the Trade and Revenues of the said British Colonies, now go and belong to, and may now be prosecuted, &c. in Great Britain, or in the said Colonies respectively. 46 Geo. 3. c. 52. § 17. 47 Geo. 3. c. 36. § 13.

By whom Seizures may be made.

27. Ships, Slaves, or Natives of Africa conveyed or dealt with as Slaves, and Goods and Effects, forfeited for any Offence against this Act, may be seized by any Officer of the Customs or Excise, or by the Commanders or Officers of any of His Majesty's Ships of War, who shall have the Benefit of all the Provisions of 4 Geo. 3. c. 15., or any other Act made for the Protection of Officers seizing and prosecuting for any Offence relating to the Trade and Revenues of the British Colonies or Plantations in America. 47 Geo. 3. c. 36. § 14.

Where Offences against this Act may be tried.

28. All Offences against this Act may be tried, determined, and dealt with as Misdemeanors, as if the same had been respectively committed within the Body of the County of Middlesex. 47 Geo. 3. c. 36. § 15.

His Majesty may make Regulations as to Negroes who have been bound Apprentices.

29. His Majesty in Council may make such Regulations for the Disposal and Support of such Negroes as shall have been bound Apprentice under this Act, after the Term of their Apprenticeship shall have expired, as shall seem meet, and as may prevent such Negroes from becoming at any Time chargeable upon the Island in which they shall have been bound Apprentices. 47 Geo. 3. c. 36. § 16.

Acts as to enlisting, &c. not to extend to Negroes.

30. No Act, as to enlisting for any limited Period of Service, or granting any Pensions or Allowances to any Soldiers discharged after certain Periods of Service, shall extend to any Negroes enlisted and serving in any of His Majesty's Forces. 47 Geo. 3. c. 36. § 17.

General Issue may be pleaded and Treble Costs allowed.

31. Persons against whom any Action shall be commenced in Great Britain or elsewhere, for any thing done in pursuance of these Acts, may plead the General Issue, and give the Acts and the special Matter in Evidence; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant has appeared, or if Judgement shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant

fendant shall recover Treble Costs. 46 Geo. 3. c. 52. §19. 47 Geo. 3. c. 36. §18.

Penalties or Forfeitures may be sued for within Three Years.

32. Actions, Bills, Indictments, or Informations for the Recovery of any of the Penalties or Forfeitures imposed by 46 Geo. 3. c. 52. and 47 Geo. 3. c. 66. may be brought, exhibited, or prosecuted at any Time within Three Years after the Offence committed. 53 Geo. 3. c. 112. § 1.

Ships condemned as forfeited under these Acts may be registered as British Ships.

33. All Ships, whether British or Foreign, adjudged to be forfeited under any Act for the Prevention, Abolition, or Regulation of the Slave Trade in any Court of Record in Great Britain, or which shall be condemned in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, shall be entitled to Certificates of Registry as British Ships, and thereupon enjoy all the Privileges and Advantages of British-built Ships, in like manner with Ships taken and condemned as lawful Prize of War; but such Ships shall be subject to the same Duties and Regulations, and shall be registered in the same Manner, and subject to the same Conditions and Restrictions, Penalties and Forfeitures, and shall be owned and navigated, as Ships condemned as lawful Prize are required to be in order to their obtaining British Registers, and enjoying the Privileges of British Ships according to Law. 54 Geo. 3. c. 59. § 1.

Support and Maintenance of Slaves until Adjudication.

34. When Persons held or treated as Slaves within the Provisions of any Act passed for the Abolition of the Slave Trade, shall be captured or seized as Prize of War, or as forfeited, or otherwise proceeded against and brought to Adjudication, the Person claiming any Right or Property in or the Possession of such Slaves shall put such Slaves on Shore, and the Chief Officer of the Customs of the Place shall direct Inquiry to be made whether the Person claiming any Right or Property in or to the Possession of such Slaves, shall have furnished or be willing and able to furnish sufficient Food and Necessaries for the wholesome Maintenance of the said Slaves during the Proceedings; and such Chief Officer shall report to the Governor, or Person exercising the Authority of Governor, the Result of such Inquiry; and if it shall appear that sufficient Food and Necessaries have not been furnished, and if the Person claiming the Property in such Slaves shall refuse or neglect to support the said Slaves during such Proceedings, the Governor, &c. shall authorize

rize the Chief Officer to take on himself the immediate Care and Custody of such Slaves, and to provide proper Food and Necessaries, until the Court shall have made its Decree; and the Court shall, on Application by the Chief Officer of the Customs having provided for such Slaves, direct the Accounts to be brought into the Registry of the Court and examined, and direct the same, when confirmed, to be a Charge on the said Slaves, to be defrayed by the Person receiving Possession thereof under the Decree. 55 Geo. 3. c. 172. § 1.

Claimants refusing or neglecting to supply Necessaries pending the Proceedings, the Slaves to be valued and delivered over.

35. In case the Court shall not immediately restore or condemn, but shall direct further Proof in the Cause, and the Person claiming the Property or Possession shall not have supplied, or at any Time pending Proceedings shall refuse or neglect to supply, Necessaries for the said Slaves, the Court may direct a Valuation to be made, and decree such Slaves, after such Valuation had and approved, to be delivered over to such Officer or Person as may be appointed by His Majesty to receive Slaves condemned according to 47 Geo. 3. c. 36.; and the same shall be treated in all Respects according to the Provisions of the said Act, except that the Bounty shall not be payable but in the Event of final Condemnation. 55 Geo. 3. c. 172. § 2.

How Restitution to be made where Slaves have been delivered over.

36. If on further Proof the Slaves shall be decreed to be restored, and there be no Appeal, and the Slaves shall have been delivered over as above directed, Restitution shall be made in the Value of the Slaves, according to the Valuation before directed, together with Interest thereon, such Sums being deducted as were expended for their Maintenance; and the Value so adjusted shall be paid by the Treasurer of the Navy in the same Manner as Bounties paid for Slaves condemned under 47 Geo. 3. c. 36., on the Production of the Official Copy of the Sentence of Restitution, with the Valuation endorsed thereon by the Registrar of the Court. 55 Geo. 3. c. 172. § 3.

In Cases of Appeal, the Slaves to be valued and delivered over.

37. In case where there shall have been a Decree having the Effect of a definitive Sentence, restoring or condemning the said Slaves, and the same shall be suspended by Appeal, the Court shall forthwith direct the Slaves to be valued, and after such Valuation to be delivered over to such Officer or Person as may be appointed to receive Slaves condemned; and such Slaves shall be dealt with in all Respects as if they had been finally condemned, except

except that the Bounties shall not be due thereon but in the Event of final Condemnation. 55 Geo. 3. c. 172. §4.

If restored in the Court of Appeal, Restitution in Value to be made.

38. Where Slaves shall be finally restored in the Court of Appeal, Restitution in Value shall be made for the Use of the Proprietor, according to the Valuation before directed, subject to Revision in the said Court of Appeal, together with Interest thereon, the Sums expended for the Maintenance and Support being deducted; and the Value so adjusted shall be paid by the Treasurer of the Navy in the same Manner as Bounties are paid under 47 Geo. 3. c. 36., on the Production of an Official Copy of the final Sentence, with the Valuation of the Slaves endorsed thereon by the Registrar of the Court. 55 Geo. 3. c. 172. § 5.

Courts having Jurisdiction in the original Cause may adjudge Costs and Damages.

39. Not to prevent the Courts having Jurisdiction in the principal Cause from adjudging the Captor, Seizor, or Prosecutor to pay, in addition to the Restitution in Value, such further Sums in the Nature of Costs or Damages as the Court shall decree, where it shall appear at the Capture, Seizure, or Prosecution, or the Appeal thereon, shall not be justified by the Circumstances of the Case. 55 Geo. 3. c. 172. § 6.

British Subjects, or Persons being within the United Kingdom or any of the Dominions of His Majesty, carrying on the Slave Trade, or any way engaged therein, declared Felons.

40. If any Subject of His Majesty, or if any Person residing or being within the United Kingdom, or in any of the Islands, Colonies, Dominions, Forts, Settlements, Factories, or Territories belonging thereto, or being in His Majesty's Possession, or under the Government of the East India Company, shall by himself, or by his Factor or Agent, or otherwise, remove, or aid or assist in the removing, as a Slave, or for the Purpose of being sold or dealt with as a Slave, any Person whatsoever, from any Part of Africa, or any other Country, Territory, or Place, either immediately or by Transhipment at Sea, or otherwise; or shall import, or aid or assist in importing, into any Colony, Territory, or Place, any such Person as aforesaid, for the Purpose aforesaid; or shall knowingly embark, detain, or confine on board any Ship or Boat any such Person for the Purpose aforesaid; or shall knowingly employ or permit to be employed, or let to freight or on hire, any Ship to be employed in removing or importing, or for the Purpose of removing or importing, any such Person as a Slave, or for the Purpose of being sold or dealt with as a Slave; or shall fit out or cause to be fitted out, or take the Command of or navigate or embark on board any such Ship as Master or

Captain, Mate, Supercargo, or Surgeon, knowing that such Vessel is actually employed, or is in the same Voyage for which he shall so embark intended to be employed, in removing, importing, or bringing any such Person for the Purpose of his being sold, used, or dealt with as a Slave; the Persons offending, and their Counsellors, Aiders, and Abettors, shall be declared to be Felons, and be transported for a Term not exceeding Fourteen Years, or kept to hard Labour for a Term not exceeding Five Years, nor less than Three Years, at the Discretion of the Court before whom convicted. 51 Geo. 3. c. 23. § 1.

Punishment of Persons serving on board Ships or underwriting any Policy.

41. Any Person who shall embark on board any such Ship employed or intended to be employed as aforesaid, as a Petty Officer, Servant, or Seaman, knowing that such is the Purpose, or one of the Purposes of the Voyage, or who shall underwrite or procure to be underwritten any Policy of Assurance upon any such Ship or Goods, or the Freight, knowing the Purpose of the Voyage, shall only be declared to be guilty of a Misdemeanor, and shall be punished by Imprisonment for a Term not exceeding Two Years; and such Persons shall not be deemed to be, nor shall be punished as Accessories to Felony. 51 Geo. 3. c. 23. § 2, 3

Not to prevent the Removal of Slaves from one British Colony to another, or from Ships in Distress, nor the Transportation of Slaves convicted of Crimes.

42. Not to subject any Person to Pains and Penalties for removing or carrying from any British Colony or Settlement in the West Indies to any other such Colony, &c. or from one Part of such British Island, Colony, or Settlement to another Part of the same, or for transporting into or landing in any such Colony or Settlement any Slave born within such Colonies or Settlements, or any Slaves which shall be lawfully imported into the said Colonies or Settlements, or for removing or carrying any Slave from one Part of any Foreign Colony or Settlement to another Part of the same, or for transhipping and assisting at Sea any Slave which shall be in any Ship in Distress; nor prevent the Transportation to any Foreign Colony or Place of any Slave convicted by due Course of Law in any British Colony of any Crime to which the Punishment of Transportation shall be annexed; but in every such Case a Copy of the Judgment or Sentence, certified by the Court, shall be put on board the Ship. 51 Geo. 3. c. 23. § 4.

How Felonies and Misdemeanors shall be inquired of.

43. All Felonies or Misdemeanors committed in Africa, or in any Place other than the United Kingdom, or on the

the High Seas, or in any Place where the Admiral has Jurisdiction, shall be inquired of, either according to the ordinary Course of Law, and the Provisions of 28 Hen. 8. so far as the same Act is now unrepealed, or according to 11 & 12 W. 3.—51 Geo. 3. c. 23. § 6.

Penalties and Forfeitures of former Acts not repealed or altered.

44. But nothing herein contained shall repeal or alter 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36. for preventing the Importation of Slaves by any of His Majesty's Subjects into any Islands, Colonies, Plantations, or Territories belonging to any Foreign State or Power, in respect of any Forfeitures of Ships, Cargoes, Goods, or Effects thereby imposed for any Offence against the said Acts, or the Remedies thereby given for the Recovery thereof, or in respect of any pecuniary Penalties thereby imposed. 51 Geo. 3. c. 23. § 7.

Offences declared by 51 Geo. 3. c. 23. to be Felonies or Misdemeanors committed on the High Seas, or where the Admiral has Jurisdiction, may be tried under any Commission issued according to the Directions of 46 Geo. 3. c. 54.

45. Whereas Doubts have arisen whether Offences declared by 51 Geo. 3. c. 23. to be Felonies or Misdemeanors, committed on the High Seas, or in any Port, Sea, Creek, or Place where the Admiral has Jurisdiction, may be inquired of, heard, and determined under or by virtue of any Commission issued or to be issued under the Directions of 46 Geo. 3. c. 54; be it therefore enacted, That all Offences declared by 51 Geo. 3. c. 23. to be Felonies or Misdemeanors, committed on the High Seas, or in any Port, Sea, Creek, or Place where the Admiral has Jurisdiction, may be inquired of, tried, and determined under any Commission already issued or hereafter to be issued according to the Directions of 46 Geo. 3. c. 54.; and all Persons convicted of any of the said Offences so tried and determined under any such Commission according to the Directions of the said Act, shall be liable to and shall suffer the same Pains, Penalties, and Forfeitures, as by any Law now in force Persons convicted of the same respectively would be liable to, in case the same were respectively tried and determined and adjudged within this Realm by virtue of any Commission made according to the Directions of the Statute of the Twenty-eighth Year of the Reign of King Henry the Eighth.* 58 Geo. 3. c. 98. § 1.

46. All

* *By 46 Geo. 3. c. 54. all Treasons, Piracies, Felonies, Robberies, Murders, Conspiracies, and other Offences, of what Nature or Kind soever, committed upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Authority or Jurisdiction, may be inquired of, determined, and adjudged according to the common Course of the Laws of this Realm used for Offences committed upon the Land within this Realm, and not otherwise, in any of His Majesty's Islands, Plantations, Colonies, Dominions, Forts, or Factories, by virtue of the King's Commis-*

Governors and Commanders in Chief in Africa may make Seizures of Slaves, &c. within their Limits.

46. All Governors or Persons having the Chief Command of any of the Settlements, Forts, or Factories belonging to His Majesty, or the African Company in Africa, or any African Island, and all Persons deputed by such Governor or Commander in Chief, may seize and prosecute all Ships, Slaves, or Natives of Africa conveyed or dealt with as Slaves, and all Goods and Effects forfeited for any Offence against 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36., and which shall be found upon or near to the said Coast, or in any Port, Haven, or River thereof, or within the Limits of any of the said Settlements, Forts, or Factories; and such Governor or Commander in Chief, and all Persons by them so deputed, shall have the Benefit of all the Provisions made by any Act for the Protection of Officers seizing and prosecuting for any Offence against any Act relating to the Trade and Revenues of the British Colonies Plantations in America. 51 Geo. 3. c. 23. § 8.

Petty Officers or Seamen giving Information so

47. If any Petty Officer, Servant, or Seaman, on board any Ship fitted out for or engaged in the unlawfully

---

sion under the Great Seal of Great Britain, to be directed to any such Four or more discreet Persons as the Lord Chancellor of Great Britain, Lord Keeper, or Commissioners for the Custody of the Great Seal of Great Britain for the Time being, shall from Time to Time think fit to appoint; and the said Commissioners so to be appointed, or any Three of them, shall have such and the like Powers and Authorities for the Trial of all such Murders, Treasons, Piracies, Felonies, Robberies, Conspiracies, and other Offences, within any such Island, Plantation, Colony, Dominion, Fort, or Factory, as any Commissioners appointed or to be appointed according to 28 Henry 8th, by any Law or Laws now in force have or would have for the Trial of the said Offences within this Realm; and all Persons convicted of any of the said Offences, so to be tried by virtue of any Commission to be made according to the Directions of this Act, shall be liable to and shall suffer all such and the same Pains, Penalties, and Forfeitures, as by any Law now in force Persons convicted of the same respectively would be liable to in case the same were respectively inquired of, determined, and adjudged within this Realm, by virtue of any Commission made according to the Directions of the said Statute of 28 Hen. 8th.

Every Offence declared by 51 *Geo.* 3. *c.* 23. *to be a Felony or Misdemeanor, committed or which shall be committed by any Subject of His Majesty in Africa, or in any of the Rivers, Ports, or Harbours thereof, not being a Place where the Admiral has Jurisdiction, and not being within the Local Jurisdiction of any Ordinary Court of a British Colony or Settlement in Africa competent to try such Offence, may be inquired of, tried, and determined by virtue of any Commission already issued, or hereafter to be issued, according to the Directions of* 46 *Geo.* 3. *c.* 54.

removing

removing or dealing in Slaves, shall within Three Months after the Arrival of the said Ship at any Port belonging to His Majesty, give Information on Oath before any competent Magistrate against any Owner, Part Owner, Captain, Mate, Surgeon, or Supercargo of such Ship, who shall have committed any Offence against this Act, and shall give Evidence on Oath against such Owner, &c. before any Magistrate or Court before whom such Offender may be tried; or if such Petty Officer, or Mariner, or Servant, shall within Three Months after his Arrival at any Place not within His Majesty's Dominions, give Information to any of His Majesty's Ambassadors, Ministers Plenipotentiary, Envoys, Consuls, Residents, or other Agents, so that any Person owning such Ships, or navigating or taking Charge of the same as Captain, Mate, Surgeon, or Supercargo, may be apprehended, such Person so giving Information and Evidence shall not be liable to any Punishment under 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36., but shall be wholly discharged therefrom; and His Majesty's Ambassadors, &c. are required to receive such Information, and to transmit the Particulars thereof to one of His Majesty's Principal Secretaries of State, and to transmit Copies of the same to the Commanders of His Majesty's Ships then in the said Port or Place. 51 Geo. 3. c. 23. § 9.

that Offenders may be apprehended, shall not be liable to any Punishment.

48. Whereas divers Persons have contrary to Law imported into certain of His Majesty's Possessions on the Continent of South America, certain Negro Slaves from other Possessions of His Majesty; and it is expedient that all Persons who have been concerned in advising, authorizing, or making such Importations of Negro Slaves should be indemnified, inasmuch as such Importations have been made under a Belief that they were authorized by Law: Be it therefore enacted, That the said Importations be deemed valid and of due Force in Law; and that all Personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Persons for having advised, authorized, or made any such Importation before the passing of this Act, shall be discharged and made void; and if any Action shall be commenced against any Person by reason of any such Importation, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff in any Action or Suit, commenced in

Certain Importations of Slaves into the British Colonies on the Continent of South America, declared valid, and Prosecutions discharged.

England, Ireland, or any of His Majesty's Possessions on the Continent of South America, or in the West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff, the Defendant shall recover Double Costs, for which he shall have the like Remedy as in Cases where Costs are given to the Defendants; and if any such Action shall be commenced in the Part of Great Britain called Scotland, the Court shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs. 58 Geo. 3. c. 49. § 1.

Courts to make Orders for staying Proceedings where Suits have been commenced.

49. If any Action hath been already commenced against any Person for any such Importation, the Defendant or Defenders, in whatever Court of the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Possessions on the Continent of South America, or in the West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is required to make Order for that Purpose accordingly; and the Court shall allow and award to the Defendant or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where Costs are by Law given to the Defendant or Defenders. 58 Geo. 3. c. 49. § 2.

Impoverished Land in the Bahamas and Dominica.

50. And whereas it has been represented that there is in the Bahama Islands, and on certain Estates in the Island of Dominica, a considerable Quantity of the Land which, from Length of Cultivation, has become exhausted; and it has in consequence become impossible for the Proprietors of such Land to find profitable Employment and Subsistence for the Negro Slaves supported by cultivating the said Land: And whereas it might tend to ameliorate the Condition of the said Negro Slaves if they could by Law be transported to certain of His Majesty's Possessions on the Continent of South America, to which by Law they cannot now be transported: Be it enacted,

Allowing Slaves to be transported thence to South America.

That His Majesty, by and with the Advice of His Privy Council, may grant Licences for the Transportation of such Slaves from any of the said Islands to any of the said Possessions on the Continent of South America, under certain Restrictions, to be hereinafter provided: Provided always, that no such Licence shall be granted unless upon a Representation to His Majesty's most Hounourable Privy

Privy Council, from the Proprietor of such Slaves, who shall be required to produce satisfactory Proof that they may be so transported without Disadvantage to themselves, and unless he shall enter into Bond to remove the said Negro Slaves in Families. 58 Geo. 3. c. 49. § 3.

His Majesty in Council to make such Rules and Orders as he may deem necessary.

51. His Majesty, by and with the Advice of His Privy Council, may make such further Rules and Regulations, with respect to the Transport and Destination of any such Negroes, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, with the Advice aforesaid. 58 Geo. 3. c. 49. § 4.

Not to be conveyed from British Colonies on the Continent to any other Country whatever, except to another British Colony on the Continent, under certain Conditions.

52. Provided, that it shall not be lawful for any Person to embark, export, or carry upon the Sea, any Slaves from any such Settlement or Territory now belonging to or under the Dominion or in the Possession of His Majesty, on the Continent of South America, to any other Country, Island, Territory, or Place whatever, whether under the Dominion of His Majesty, or of any Foreign Sovereign, State, or Power; provided also, that nothing herein-before contained shall extend to prevent the embarking, exporting, or carrying by Sea any Slaves from any such Settlement or Territory of or belonging to or under the Dominion or in the Possession of His Majesty, on the Continent of South America, to any other Settlement or Territory now belonging to or under the Dominion or in the Possession of His Majesty, on the said Continent of South America, so as that such Slaves are embarked and carried, subject to all the Restrictions, Regulations, Penalties, and Forfeitures in the said recited Acts or either of them contained in relation to the carrying of Slaves from one Island, Colony, or Plantation belonging to His Majesty, to any other Island, Colony, or Plantation belonging to His Majesty: Provided also, that nothing herein-before contained shall prevent any Slave from being employed either in Navigation, Fishing, or any other his ordinary Business or Occupation upon the Seas, in the same Manner as Slaves may now be employed in any British West India Island, in Numbers not exceeding in any one Boat or Vessel those usually employed in navigating such Vessels or Boats: Provided also, that nothing herein-before contained shall extend to prevent any Slave who shall be the domestic Servant of any Person residing or being in any such Settlement or Territory, now belonging to or under the Dominion or in the Possession

session of His Majesty, from attending his Owner, Master, or Mistress, or any Part of his Family, by Sea to any Place whatever, in the same Manner and under the same Regulations as are prescribed by any of the said recited Acts as to Slaves attending their Masters from any British West India Island. 58 Geo. 3. c. 49. §5.

TREATY WITH SPAIN,

FOR PREVENTING TRAFFIC IN SLAVES,

Signed at Madrid, 23d September 1817.

By the First Article, His Catholic Majesty engaged that the Slave Trade shall be abolished throughout the entire Dominions of Spain on the Thirtieth Day of May One thousand eight hundred and twenty; and that from and after that Period it shall not be lawful for any of the Subjects of the Crown of Spain to purchase Slaves, or to carry on the Slave Trade on any Part of the Coast of Africa, upon any Pretext or in any Manner whatever; provided however, that a Term of Five Months from the said Date of the Thirtieth of May One thousand eight hundred and twenty shall be allowed for completing the Voyages of Vessels which shall have been cleared out lawfully previously to the said Thirtieth of May.

Second Article.—That from and after the Exchange of the Ratifications of the said Treaty, it shall not be lawful for any of the Subjects of the Crown of Spain to purchase Slaves, or to carry on the Slave Trade on any Part of the Coast of Africa to the North of the Equator, upon any Pretext or in any Manner whatever; provided however, that a Term of Six Months from the Date of the Exchange of the Ratifications of the said Treaty shall be allowed for completing the Voyages of Vessels which shall have cleared out from Spanish Ports for the said Coast previously to the Exchange of the said Ratifications.

Third Article.—His Majesty engaged to pay in London, on the Twentieth Day of February One thousand eight hundred and eighteen, the Sum of Four hundred

hundred thousand Pounds Sterling, to such Person as His Catholic Majesty shall appoint to receive the same.

Fourth Article.—The said Sum of Four hundred thousand Pounds Sterling is to be considered as a full Compensation for all Losses sustained by the Subjects of His Catholic Majesty, engaged in this Traffic, on account of Vessels captured previously to the Exchange of the Ratifications of the said Treaty, as also for the Losses which are a necessary Consequence of the Abolition of the said Traffic.

Fifth Article.—Every Traffic in Slaves, which should be carried on under the Circumstances in the said Article stated, should be considered as illicit; First, either by British Ships, and under the British Flag, or for the Account of British Subjects, by any Vessel, or under any Flag whatsoever: Secondly, by Spanish Ships upon any Part of the Coast of Africa North of the Equator, after the Exchange of the Ratifications of the said Treaty; provided however, that Six Months should be allowed for completing the Voyages of Vessels, conformably to the Tenor of the Second Article of the said Treaty: Thirdly, either by Spanish Ships and under the Spanish Flag, or for the Account of Spanish Subjects, by any Vessel, or under any Flag whatsoever, after the Thirtieth of May One thousand eight hundred and twenty, when the Traffic in Slaves on the Part of Spain was declared by the said Treaty to cease entirely; and it was by the said Article provided, that Five Months should be allowed for the Completion of Voyages commenced in due Time, conformably to the First Article of the said Treaty: Fourthly, under the British or Spanish Flag, for the Account of the Subjects of any other Government: Fifthly, by Spanish Vessels bound for any Port not in the Dominions of His Catholic Majesty.

Sixth Article.—His Catholic Majesty engaged to adopt, in conformity to the Spirit of the said Treaty, the Measures which are best calculated to give full and complete Effect to the laudable Objects thereof.

Seventh Article.—Every Spanish Vessel which shall be destined for the Slave Trade, on any Part of the Coast of Africa, where this Traffic still continues to be lawful, must be provided with a Royal Passport, conformable to the Model annexed to the said Treaty, and which Model forms an integral Part of the same, written in the Spanish Language,

Language, with an authentic Translation in English annexed thereto, and signed by His Catholic Majesty, and countersigned by the Minister of Marine, and also by the Principal Naval Authority of the District, Station, or Port from whence the Vessel clears out, whether in Spain, or in the Colonial Possessions of His Catholic Majesty.

Eighth Article.—That it should be understood that the Passport, for rendering lawful the Voyages of Slave Ships, should be required only for the Continuation of the Traffic to the South of the Line, and that those Passports which were then issued, signed by the First Secretary of State of His Catholic Majesty, and in Form prescribed by an Order of the Sixteenth of December One thousand eight hundred and sixteen, should remain in full Force for all Vessels which may have cleared out for the Coast of Africa, as well to the North as to the South of the Line, previously to the Exchange of the Ratifications of the said Treaty.

Ninth Article.—The Ships of War of His Majesty and of His Catholic Majesty, which should be provided with special Instructions for that Purpose, as mentioned in the said Treaty, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, for having Slaves on board acquired by an illicit Trade; and in the Event only of their finding Slaves on board may retain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals to be established for that Purpose, as specified in the said Treaty; and it was by the said Article provided, that the Commanders of Ships of War of the Royal Navies of His Majesty and His Catholic Majesty, who shall be employed in this Service, shall adhere strictly to the exact Tenor of the Instructions which they shall receive for this Purpose; and His Majesty and His Catholic Majesty engaged mutually to make good any Losses which the Subjects of His Majesty and of His Catholic Majesty might respectively incur unjustly, by the arbitrary and illegal Detention of their Vessels, it being understood that this Indemnity shall invariably be borne by the Government whose Cruizer shall have been guilty of the arbitrary Detention; provided always, that the Visit and Detention of Slave Ships specified in the said Article, shall only be effected by those British or Spanish Vessels which may form Part of the

Two

Two Royal Navies, and by those only of such Vessels which are provided with the special Instructions annexed to the said Treaty.

Tenth Article.—No British or Spanish Cruizer shall detain any Slave Ship not having Slaves actually on board; and that in order to render lawful the Detention of the Ship, whether British or Spanish, the Slaves found on board such Vessel must have been brought on board the Vessel for the express Purpose of the Traffic, and those on board of Spanish Ships must have been taken from that Part of the Coast of Africa where the Slave Trade is prohibited, conformably to the Tenor of the said Treaty.

Eleventh Article.—That all Ships of War of the Two Nations which shall hereafter be destined to prevent the illicit Traffic in Slaves, shall be furnished with a Copy of the Instructions annexed to the said Treaty, and considered as an integral Part thereof, with a Proviso nevertheless in the said Treaty, that His Majesty and His Catholic Majesty, with mutual Consent, may alter the Instructions in whole or in part, according to Circumstances.

Twelfth Article.—In order to bring to Adjudication, with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in an illicit Traffic of Slaves, there shall be established, within a Space of a Year at furthest from the Exchange of the Ratifications of the said Treaty, Two mixed Commissions, formed of an equal Number of Persons of the Two Nations, named for that Purpose by the respective Sovereigns; and that these Commissions shall reside, one in a Possession belonging to His Majesty, the other within the Territories of His Catholic Majesty; one of which Commissions is stipulated by the said Treaty to be always held upon the Coast of Africa, and the other in one of the Colonial Possessions of His Catholic Majesty; and it was by the said Treaty provided, that the said Commissions shall judge the Causes submitted to them without Appeal, and according to the Regulations and Instructions annexed to the said Treaty, which said Instructions were by the said Treaty made an integral Part thereof.

INSTRUCTIONS

ANNEXED TO THE TREATY.

First Article.—Every British or Spanish Ship of War shall, in conformity with Article Nine of the Treaty, have a Right to visit the Merchant Ships of either of the Two Nations actually engaged or suspected to be engaged in the Slave Trade; and if any Slaves shall be found on board, according to the Tenor of the Tenth Article of the Treaty; and as to what regards the Spanish Vessels, if there shall be Ground to suspect that the said Slaves have been embarked on a Part of the Coast of Africa where the Traffic is no longer permitted, conformably to the said Treaty; and in such Cases alone, the Commander of the said Ship of War may detain such Merchant Ship or Vessel, and shall, as soon as possible, bring the same for Judgment before such of the Two mixed Commissions appointed by the Twelfth Article of the said Treaty which shall be the nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained; and it was provided, that Ships, on board of which no Slaves shall be found intended for the Purposes of Traffic, shall uot be detained on any Account or Pretence whatsoever; and that Negro Servants or Sailors found on board any such Vessels shall not in any Case be deemed a sufficient Cause for Detention.

Second Article.—No Spanish Merchantman or Slave Ship shall, on any Pretence whatever, be detained, which shall be found any where near the Land, or on the High Seas South of the Equator, during the Period for which the Traffic is to remain lawful, according to the said Treaty, unless after a Chace that shall have commenced North of the Equator.

Third Article.—That Spanish Vessels, furnished with a regular Passport, having Slaves on board, shipped at those Parts of the Coast of Africa where the Trade is permitted to Spanish Subjects, and which shall afterwards be found North of the Equator, shall not be detained by any British or Spanish Ship of War, if such Spanish Vessel can account for their Course, either in conformity with the Practice of the Spanish Navigation, by steering some Degrees to the Northward in search of

fair Winds, or for other legitimate Causes, such as the Dangers of the Sea, duly proved: Provided always, that with regard to all Slave Ships detained to the North of the Equator, after the Expiration of the Term allowed, the Proof of the Legality of the Voyage is required to be furnished by the Vessel so detained; on the other Hand, with respect to Slave Ships detained to the South of the Equator, in conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is required to be exhibited by the Captor; and it was in like Manner stipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even if the Number should not agree with that contained in the Passport, shall not be sufficient Reason to justify the Detention of such Ship, but that the Captain and the Proprietor shall in such Case be denounced in the Spanish Tribunals, in order to their being punished according to the Laws of the Country.

Fourth Article.—Every Spanish Vessel intended to be employed in the legal Traffic of Slaves, in conformity with the Principles laid down in the said Treaty, shall be commanded by a native Spaniard, and Two thirds at least of the Crew shall likewise be Spaniards; and it was provided that the Spanish or Foreign Construction of the Ship or Vessel shall in no wise affect the national Character of the Ship or Vessel, and that the Negro Sailors shall always be reckoned as Spaniards, provided they belong as Slaves to Subjects of the Crown of Spain, or that they have been enfranchised in the Dominions of His Catholic Majesty.

Fifth Article.—That whenever a Ship of War shall meet a Merchantman liable to be searched, it shall be done in the most mild Manner, and with every Attention which is due between allied and friendly Nations; and in no Case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navy of Great Britain, or of Ensign of a Ship of the Line in the Spanish Navy.

Sixth Article.—The Ships of War which may detain any Slave Ship, in pursuance of the Principles laid down in the said Instructions, shall leave on board all the Cargo of Negroes untouched, as well as the Captain, and a Part at least of the Crew of the Slave Ship; and that the Captain commanding the Ship of War detaining any such Slave Ship shall draw up in Writing an authentic Decla-

Declaration, which shall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in such Ship, and shall also deliver to the Captain of the Slave Ship a signed Certificate of the Papers seized on board the Vessel, as well as of the Number of Slaves found on board at the Moment of Detention; and it is also provided, that the Negroes on board of any such Ship shall not be disembarked until after the Vessel detained shall arrive at the Place where the Legality of the Capture is to be tried by One of the Two mixed Commissions, in order that in the Event of the Vessel not being adjudged a legal Prize, the Loss of the Proprietors may be more easily repaired; with Proviso, however, that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they shall be disembarked entirely or in part before the Vessel can arrive at the Place of Residence of One of the said Commissions, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity thereof shall be stated in a Certificate in proper Form.

Seventh Article.—No Conveyance of Slaves from one Part in the Spanish Possessions to another shall take place, except in Ships provided with Passports from the Spanish Government on the Spot for that Purpose.

REGULATIONS

FOR

THE MIXED COMMISSIONS

WHICH ARE TO RESIDE ON THE COAST OF AFRICA, AND IN A COLONIAL POSSESSION OF HIS CATHOLIC MAJESTY, ANNEXED TO THE TREATY.

First Article.—The mixed Commissions to be established by the said Treaty upon the Coast of Africa, and in a Colonial Possession of His Catholic Majesty, shall decide upon the Legality of the Detention of such Slave Vessels as the Ships of War of both Nations shall detain in pursuance of the said Treaty, for carrying on an illicit Commerce in Slaves, and shall judge without Appeal, according to the Letter and Spirit of the said Treaty;

and that the said Commissions shall give Sentence as summarily as possible, and decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from the Day upon which every detained Vessel shall have been brought into the Port where they shall reside; first, upon the Legality of the Capture; and secondly, in the Case in which the captured Vessel shall have been liberated, as to the Indemnification to be paid for the Capture and Detention: And it is by the said Regulations provided, that no final Sentence shall be delayed, on account of the Absence of Witnesses, or for want of the Proofs, beyond the Period of Two Months, except upon Application of any of the Parties interested, when, upon their giving satisfactory Security to charge themselves with the Expence and Risks of the Delay, the Commissioners may, at their Discretion, grant an additional Delay, not exceeding Four Months.

Second Article.—The said mixed Commissions, which are to reside on the Coast of Africa, and in the Colonial Possessions of His Catholic Majesty, shall be composed in the following Manner; that is to say, that His Majesty and His Catholic Majesty shall each of them name a Commissary Judge and a Commissioner of Arbitration, who shall be authorized to hear and decide, without Appeal, all Cases of Capture of Slave Vessels which, in pursuance of the Stipulation of the said Treaty, may be laid before them; and it was also provided, that all the essential Parts of the Proceedings carried on before the said mixed Commissions, shall be written down in the legal Language of the Country in which the Commission may reside; and it was also thereby provided, that the Commissary Judges and the Commissioners of Arbitration shall make Oath in Presence of the principal Magistrate of the Place in which the Commission may reside, to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the Treaty; and it was also thereby provided, that there shall be attached to each Commission a Secretary or Registrar appointed by the Sovereign of the Country in which the Commission may reside, who shall register all its Acts, and who, previous to his taking Charge of his Office, shall make Oath in Presence of at least One of the Commissary Judges, to conduct himself with Respect for their Authority, and to

act with Fidelity in all the Affairs which may belong to his Charge.

THIRD ARTICLE.—The Form of the Process shall be as follows; that is to say, the Commissary Judges of the Two Nations shall, in the first Place, proceed to the Examination of the Papers of [illegible] ssels, and receive the Depositions on Oath of th[illegible], and of Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary in order to be able to judge and pronounce if the said Vessel has been justly detained or not, according to the Stipulations of the Treaty, in order that, according to their Judgment the Vessel may be condemned or liberated; and in the Event of the Two Commissary Judges not agreeing upon the Sentence, whether as to the Legality of the Detention, or the Indemnification to be allowed, or upon any other Question which might result from the Stipulations of the Treaty, they shall draw by Lot the Name of One of the Two Commissioners of Arbitration, who, after having considered the Documents of the Process, shall consult with the Commissary Judges upon the Case in question, and the final Sentence shall be pronounced conformably to the Opinion of the Majority of the Commissary Judges and of the Commissioner of Arbitration so chosen.

FOURTH ARTICLE.—As often as the Cargo of Slaves found on board of a Spanish Slave Ship shall have embarked from any Point whatever of the Coast of Africa where the Slave Trade continues to be lawful, such Slave Ship shall not be detained on Pretext that the abovementioned Slaves have been brought originally by Land from any other Part whatever of the Continent.

FIFTH ARTICLE.—That in the authenticated Declaration which the Captor shall make before the Commission, as well as in the Certificate of the Papers seized which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the Captor shall state and declare his Name, and the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of the Slaves found living on board the Slave Ship at the Time of the Detention.

SIXTH ARTICLE.—As soon as any Sentence shall have been passed, the detained Vessel, if liberated, and what may remain

remain of the Cargo, shall be restored to the Proprietors, who shall, before the same Commission, claim a Valuation of the Damages which they may have a Right to demand; and that the Captor himself, and in his Default, the Government to which the Captor shall belong, shall remain responsible for such Damages, which the said Governments respectively bind themselves to defray, within the Term of a Year from the Date of the Sentence; it being understood that all such Indemnifications shall be at the Expence of the Government of which the Captor shall be a Subject.

Seventh Article.—In case of the Condemnation of any Vessel for an unlawful Voyage, the Vessel shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said Vessel, as well as her Cargo, shall be sold by public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the mixed Commission a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Commission which shall have so judged them shall be established, to be employed as Servants or free Labourers.

Eighth Article.—Every Claim for Compensation of Losses, occasioned by any Ship's being inspected and detained, as carrying on an illicit Trade in Slaves, but not afterwards condemned as lawful Prize by the mixed Commissions, shall be also heard and judged by the said Commissions, in the Form provided by the Third Article of the said Regulations; and in all Cases wherein Restitution shall be so decreed, the Commission shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, in case of total Loss, the Claimant or Claimants shall be indemnified, first, for the Ship, her Tackle, Apparel, and Stores; secondly, for all Freight due and payable; thirdly, for the Value of the Cargo of Merchandize, if any; fourthly, for the Slaves on board at the Time of Detention, according to the computed Value of such Slaves at the Place of Destination, deducting therefrom the usual fair average Mortality for the unexpired Period of the regular Voyage, deducting also

for all Charges and Expences payable upon the Sale of such Cargoes, including Commission of Sale; and fifthly, for all other regular Charges in such Cases of total Loss; and in all other Cases not of total Loss, the Claimant or Claimants shall be indemnified, first, for all special Damages and Expences occasioned to the Ship by the Detention, and for the Loss of Freight, when due or payable; secondly, a Demurrage, when due, according to the Schedule annexed to the said Eighth Article; thirdly, a daily Allowance for Subsistence of Slaves, of One Shilling or Four Reals and Half de Vor, for each Person, without Distinction of Age or Sex, for so many Days as it shall appear to the Commission that the Voyage has been or may be delayed by reason of such Detention; as likewise, fourthly, for any Deterioration of Cargo or Slaves; fifthly, for any Diminution in the Value of the Cargo of Slaves, proceeding from an increased Mortality beyond the average Amount of the Voyage, or from Sickness occasioned by Detention, this Value to be ascertained by their computed Price at the Place of Destination, as in the above Case of total Loss; sixthly, an Allowance of Five per Centum on the Amount of the Capital employed in the Purchase and Maintenance of Cargo, for the Period of Delay occasioned by the Detention; and, seventhly, for all Premium of Insurance on additional Risks; and the Claimant or Claimants shall likewise be entitled to Interest, at the Rate of Five per Centum per Annum, on the Sum awarded, until paid by the Government to which the capturing Ship belongs; the whole Amount of such Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at the Exchange current at the Time of Award, excepting the Sum for the Subsistence of Slaves, which shall be paid at par, as above stipulated; and to avoid as much as possible every Species of Fraud in the Execution of the said Treaty, it was agreed, that if it should be proved to the Conviction of the Commissary Judges of the Two Nations, and without having Recourse to the Decision of a Commissioner of Arbitration, that the Captor has been led into Error by a voluntary and a reprehensible Fault on the Part of the Captain of the detained Ship, in that case only the detained Ship shall not have the Right of receiving, during the Days of her Detention, the Demurrage stipulated by the said Eighth Article. And to the said Eighth Article

Article a Schedule of Demurrage or daily Allowance was annexed, as follows; that is to say, for a Vessel of

100 Tons to 120 inclusive			£ 5	per Diem,
121 ditto - 150	ditto	-	6	
151 ditto - 170	ditto	-	8	
171 ditto - 200	ditto	-	10	
201 ditto - 220	ditto	-	11	
221 ditto - 250	ditto	-	12	
251 ditto - 270	ditto	-	14	
270 ditto - 300	ditto	-	15	

and so in proportion.

Ninth Article.—When the Proprietor of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the mixed Commissions (or in the Case as above mentioned of total Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no case be entitled to claim for more than the Number of Slaves which his Vessel, by the Spanish Laws, was authorized to carry, which Number shall always be stated in his Passport.

Tenth Article.—Neither the Judges nor the Arbitrators, nor the Secretary of the mixed Commissions, shall be permitted to demand or receive, from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the said Regulations.

Eleventh Article.—If any Parties interested shall imagine they have Cause to complain of any evident Injustice on the Part of the mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence, for the Purpose of removing, when they think fit, the Individuals who may compose these Commissions.

Twelfth Article.—In case of a Vessel being improperly detained under Pretence of the Stipulations of the Treaty, and the Captor not being able to justify himself, either by the Tenor of the said Treaty, or of the Instructions annexed to it, the Government to which the detained Vessel may belong shall be entitled to demand Reparation; and in such Case the Government to which the Captor may belong binds itself to cause Inquiry to be made into the Subject of the Complaint, and to inflict upon the Captor, if he be found to have deserved it, a

Punishment proportioned to the Transgression which may have been committed.

THIRTEENTH ARTICLE.—In the Event of the Death of One or more of the Commissary Judges, or the Commissioners of Arbitration, composing the above-mentioned mixed Commissions, their Posts shall be supplied ad interim in the following Manner; that is, on the Part of the British Government, the Vacancies shall be filled successively in the Commission, which shall sit within the Possessions of His Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the same, and by the Secretary; and in that which shall sit within the Possessions of His Catholic Majesty, it was agreed, that in case of the Death of the British Judge or Arbitrator there, the remaining Individuals of the said Commission shall proceed equally to the Judgment of such Slave Ships as may be brought before them, and to the Execution of their Sentence; and in such Case alone the Parties interested shall have the Right of appealing from the Sentence, if they think fit, to the Commission resident upon the Coast of Africa; and the Government to which the Captor shall belong shall be bound fully to make good the Compensation which shall be due to them in case the Appeal be decided in favour of the Claimants, but the Vessel and Cargo shall remain during such Appeal in the Place of Residence of the first Commission before which they shall have been carried: And it was thereby agreed, that on the Part of Spain the Vacancies shall be supplied, in the Possession of His Catholic Majesty, by such Persons of Trust as the Principal Authority of the Country shall appoint; and upon the Coast of Africa, in case of the Death of any Spanish Judge or Arbitrator, the Commission shall proceed to Judgment in the same Manner as above specified for the Commission resident in the Possession of His Catholic Majesty, in the Event of the British Judge or Arbitrator; an Appeal being in this Case likewise allowed to the Commission resident in the Possession of His Catholic Majesty, and in general all the Provisions of the former Case being to be applied: And it was further agreed by the said Article, that all Vacancies which may arise in the above-mentioned Commissions, from Death or any other Cause, should be supplied as soon as possible; and in case that the Vacancy of any of the Spanish Commissioners in the British Possessions,

sessions, or of the British Commissioners in the Spanish Possession, be not supplied at the End of the Term of Seven Months for America, and of Twelve for Africa, the Vessels which shall be brought to the said Possessions respectively shall cease to have the Right of Appeal above stipulated.

Ships of War duly authorized may seize all suspected Vessels.

For carrying into Execution the Provisions of the said Treaty, be it enacted, That any Officers commanding any Ship of War of His Majesty, duly authorized and provided with Instructions according to the Provisions of the said Convention, may visit and search all Vessels which shall be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic, and to detain and bring to Adjudication all Vessels and Cargoes therein, made subject to Detention and Condemnation, according to the Provisions of the said Treaty, and the Regulations and Instructions aforesaid. 58 Geo. 3. c. 36. § 1.

British Vessels suspected of having Slaves on board, subject to Seizure by Spanish or British Vessels, and to Adjudication by the Commissioners under the Treaty.

All Vessels belonging wholly or in part to His Majesty's Subjects, suspected upon reasonable Grounds of having Slaves on board acquired by an illicit Traffic, shall be, according to the Ninth Article of the Treaty, subject to the Visitation and Search of British or Spanish Vessels of War, duly authorized for that Purpose, according to the Provisions of the Treaty; and all Vessels belonging wholly or in part to His Majesty's Subjects, which shall have Slaves on board acquired by an illicit Traffic, contrary to the Provisions of the Ninth and Tenth Articles of the Treaty, and all Boats, Apparel, Furniture, and Slaves belonging to such Vessels, and all Cargoes therein, shall be subject to the Search and Detention of British or Spanish Vessels of War duly authorized for that Purpose, according to the Stipulations of the Treaty, and to Forfeiture according to the Treaty, and the Regulations and Instructions thereunto annexed, and be subject to the Adjudication of and to Condemnation or other Judgment by the Commissary Judges and Commissioners to be appointed according to the Provisions of the Treaty, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 36. § 2.

His Majesty may appoint Commissary Judges and Commissioners of Arbitration.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of the Principal Secretaries of State, may appoint Commissary Judges and Commissioners of Arbitration, and from Time Time to supply any Vacancies which may arise in such Offices, and grant Salaries, not exceeding such annual Sums as the

Lords of the Treasury of Great Britain and Ireland shall direct; and such Commissary Judges and Commissioners may examine and decide all Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, detained, seized, taken, or captured under the said Treaty or Instructions and Regulations, as are made subject to their Jurisdiction, and proceed therein, and do all Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty, and the Instructions and Regulations annexed thereto, as effectually as if special Powers and Authorities for that Purpose were specifically given in this Act. 58 Geo. 3. c. 36. § 3.

Secretary and Registrar to be appointed to the Commission established in His Majesty's Dominions.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Principal Secretaries of State, may appoint a Secretary or Registrar to the Commission which shall be established in His Majesty's Dominions, and supply any Vacancy which may thereafter occur, and grant such Salaries as the said Lords Commissioners shall direct; and such Secretary or Registrar may perform all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the Treaty, Instructions, and Regulations. 58 Geo. 3. c. 36. § 4.

Vacancies in the Commission sitting in some Possession of His Majesty, to be filled up until some other Person shall be appointed by His Majesty.

The Governor or Lieutenant Governor, or principal Magistrate of the Colony or Settlement in which the Commission shall sit, within the Possessions of His Britannic Majesty, may fill up every Vacancy which shall arise in such Commission, either of Commissary Judge, Commissioner, or any Officer thereof appointed by His Majesty, according to the Thirteenth Article of the Regulations annexed to the Treaty, ad interim, until such Vacancy shall be thereafter filled by some Person appointed by His Majesty. 58 Geo. 3. c. 36. § 5.

Commissary Judges and Commissioners of Arbitration to take the following Oath.

Every Commissary Judge and Commissioner of Arbitration appointed by His Majesty, shall, before he enters upon the Execution of his Office, take an Oath, in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place, whether belonging to His Britannic or His most Catholic Majesty, in which the Commission shall be appointed to reside, in the Form following; that is to say,

'I A. B. do solemnly swear, That I will, according 'to the best of my Skill and Knowledge, act 'in the Execution of my Office, as 'faithfully, impartially, fairly, and without Preference 'or Favour, either for Claimants or Captors, or any 'other

'other Persons; and that I will, to the best of my 'Judgment and Power, act in pursuance of and 'according to the Stipulations, Regulations, and 'Instructions contained in the Treaty between His 'Majesty and His Catholic Majesty signed at Madrid 'on the Twenty-third Day of September One thousand 'eight hundred and seventeen. So help me GOD.'

Secretary or Registrar to take the following Oath.

And every Secretary or Registrar appointed by His Majesty under the Provisions of the Treaty, Regulations and Instructions, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before the British Commissary Judge as aforesaid, in the Form following; that is to say,

'I A. B. do solemnly swear, That I will, according 'to the best of my Skill and Knowledge, act in the 'Execution of my Office; and that I will conduct 'myself with respect to the Authority of the Com- 'missary Judges and Commissioners of Arbitration 'of the Commission to which I am attached; and will 'act with Fidelity in all the Affairs which may belong 'to my Charge, and without Preference or Favour, 'either for Claimants or Captors, or any other 'Persons. So help me God.'

58 Geo. 3. c. 36. § 6.

Commissary Judges and Secretary or Registrar may administer Oaths and summon Witnesses.

The said Commissary Judges or either of them, or any such Secretary or Registrar, may administer Oaths to and take the Depositions of all Persons who may come or be brought before them to be examined, or for the Purpose of deposing, in the Course of any Proceeding before the said Commissary Judges, or before the said Commissary Judges and the Commissioner of Arbitration, in the Cases in which such Commissioners of Arbitration shall act with the said Commissary Judges under the said Treaty, Instructions or Regulations, or this Act; and the said Commissary Judges and Commissioners of Arbitration, in the Cases aforesaid, may summon all Persons whom they may deem it necessary or proper to examine in relation to any Suit, Matter, or Thing under their Cognizance, and send for and issue Precepts for the producing of such Papers as may relate to the Matters in question before them, and enforce all such Summonses, Orders, and Precepts by the like Means, Powers, and Authorities as any Court of Vice Admiralty may do.

58 Geo. 3. c. 36. § 7.

Persons giving false Evidence guilty of Perjury.

Every Person who shall wilfully and corruptly give false Evidence in any Examination, Deposition, or Affi-

davit

davit in any Proceeding before the said Commissary Judges or Commissioners aforesaid, shall be deemed guilty of Perjury, and being thereof convicted, shall be liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in England; and in any Prosecution for such Offences in His Majesty's said Court of King's Bench, the Venue may be laid in the County of Middlesex. 58 Geo. 3. c. 36. § 8.

Suit pending before, or Judgment by any such Commission, to be a Bar, and pleadable as such to any Action brought for any thing done under the Treaty.

The Pendency of any Suit or Proceeding, instituted before the said Commissioners, for the Condemnation or Restitution of any Ship or Cargo, or Slaves, seized or detained by virtue of the Treaty, Instructions, or Regulations, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be a good and complete Bar in any Action, Suit, or Proceeding instituted for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or Injury sustained thereby, or by the Persons on board, in consequence of any Capture, Seizure, or Detention, or Thing done under the Authority of the Provisions, Treaty, Instructions, or Regulations. 58 Geo. 3. c. 36. § 9.

Compensation for the Losses sustained from the Abolition of the Traffic in Slaves.

The Sum of Four hundred thousand Pounds, stipulated to be paid, and accepted as a full Compensation for all Losses sustained by the Subjects of His Catholic Majesty, on account of Vessels captured previously to the Exchange of the Ratifications of the said Treaty, and for the Losses which are a necessary Consequence of the Abolition of the said Traffic in Slaves, shall be considered and taken to be a full Compensation for all such Losses; and the said Stipulation may be pleaded in Bar, or given in Evidence upon the General Issue, and adjudged in every Court whatever to be a good and complete Bar in every Action, Suit, or Proceeding brought or instituted for Restitution, or any other Matter or Thing in relation to any such Capture, or for any Damage or Injury sustained in relation thereto, or for any such Losses as aforesaid. 58 Geo. 3. c. 36. § 10.

Jurisdiction of Prize Courts of Appeal, or of

Provided, that the Lords Commissioners of Appeal in Prize Causes, and the High Court of Admiralty, in all Cases

Cases and Questions arising out of the said Captures depending before them, or that may be brought before them on Appeal from any Vice Admiralty Court, according to their respective Jurisdictions, may proceed therein, and hear and determine all Questions respecting any Right or Interest in or to the same, to which His Majesty, or the Captors or Seizors of such Vessels or Cargoes, may claim to be entitled, by reason of the Capture or Seizure thereof, and enforce their Judgments and Orders therein by the usual Process of the said Courts. 58 Geo. 3. c. 36. § 11.

Admiralty, in Cases brought before them, not altered.

Provided also, that in all such Cases, in which the Captors Seizors shall not establish any Right or Interest on their behalf, by reason of the Capture thereof, and the Laws relating thereto, the said Courts respectively may order and adjudge the Vessels and Cargoes, or the Proceeds thereof, unto or to which the Captors shall not establish any Right or Interest, to be delivered or paid, to the Use of His Majesty, to such Persons as the Commissioners of His Majesty's Treasury shall appoint to receive the same, and enforce the Delivery or the Payment thereof by the usual Process of the said Courts respectively. 58 Geo. 3. c. 36. § 12.

Captors not establishing their Rights, Proceeds to go to the Use of His Majesty.

Nothing in this Act shall extend in any wise to suspend, affect, or repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained in any Act for the Suppression or Prevention of the Slave Trade; but all such Acts shall remain in full Force and Virtue. 58 Geo. 3. c. 36. § 13.

This Act not to alter or affect any of the Penalties or Provisions in any Act for Suppression of the Slave Trade.

If any Action or Suit shall be commenced, either in Great Britain or elsewhere, against any Person for any thing done in pursuance of the said Treaty, Instructions, or Regulations, or of this Act, the Defendant in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done by the Authority of the said Treaty, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as in other Cases by Law. 58 Geo. 3. c. 36. § 14.

General Issue may be pleaded and Treble Costs allowed.

TREATY WITH PORTUGAL,

FOR PREVENTING TRAFFIC IN SLAVES,

Signed at London, 28th July 1817.

Whereas by the First Article of the additional Convention to a Treaty of the 22d January 1815, made between His Majesty and His most Faithful Majesty the King of Portugal, for the Purpose of preventing illicit Traffic in Slaves, and signed at London on the 28th Day of July 1817, it was declared to be the Object of the said Convention, to prevent the respective Subjects of His Majesty and His most Faithful Majesty from carrying on an illicit Slave Trade; and it was also thereby declared, that every Traffic in Slaves carried on under the following Circumstances should be considered as illicit; First, either by British Ships and under the British Flag, or for the Account of British Subjects by any Vessel or under any Flag whatsoever; Second, by Portuguese Vessels in any of the Harbours or Roads of the Coast of Africa which are prohibited by the First Article of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen; Third, under the Portuguese or British Flag for the Account of the Subjects of any other Government; Fourth, by Portuguese Vessels bound for any Port not in the Dominions of His most Faithful Majesty.

Second Article.—The Territories in which the Traffic in Slaves continues to be permitted under the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, to the Subjects of His most Faithful Majesty, are the following; First, the Territories possessed by the Crown of Portugal upon the Coast of Africa to the South of the Equator, that is to say, upon the Eastern Coast of Africa, the Territory laying between Cape Delgado and the Bay of Lourenco Marques, and upon the Western Coast, all that which is situated from the Eighth to the Eighteenth Degree of South Latitude; Second, those Territories on the Coast of Africa to the South of the Equator, over which His most Faithful Majesty has declared that he has retained His Rights, namely, the Territories of Molembo and Cabinda upon the Western Coast of Africa, from the Fifth Degree Twelve Minutes to the Eighth Degree South Latitude.

Third

Third Article.—His most Faithful Majesty engaged, within the Space of Two Months after the Exchange of the Ratifications of the said Convention, to promulgate in his Capital, and in the other Parts of His Dominions, as soon as possible, a Law which should prescribe the Punishment of any of His Subjects who may in future participate in an illicit Traffic of Slaves, and at the same Time to renew the Prohibition which already exists, to import Slaves into the Brazils under any Flag other than that of Portugal; and His most Faithful Majesty also engaged to assimilate, as much as possible, the Legislation of Portugal, in this respect, to that of Great Britain.

Fourth Article.—Every Portuguese Vessel which should be destined for the Slave Trade on any Point of the African Coast where the Traffic in Slaves should still continue to be lawful, must be provided with a Royal Passport, conformable to the Model annexed to the said Convention, and which Model formed an integral Part of the same; and that every such Passport must be written in the Portuguese Language, with an authentic Translation in English annexed thereto, and must be signed, for all those Vessels sailing from the Port of Rio Janeiro, by the Minister of Marine, and for all other Vessels which may be intended for the said Traffic, and which may sail from any other Ports of the Brazils, or from any other of the Dominions of His most Faithful Majesty, not in Europe, the Passports must be signed by the Governor in Chief of the Captaincy to which the Port belongs; and as to those Vessels which may proceed from the Ports of Portugal, must be signed by the Secretary of the Government for the Marine Department.

Fifth Article.—The Ships of War of the respective Royal Navies of His Majesty and His most Faithful Majesty, which shall be provided with special Instructions for that Purpose, as herein-after provided, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic; and in the Event only of their actually finding Slaves on board may detain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals established for that Purpose, as specified in the said Convention; provided that the Commanders of the Ships of War of the Two Royal Navies, who shall be employed on this Service, shall adhere

strictly

strictly to the exact Tenor of the Instructions which they shall have received for that Purpose; and that as the said Article is entirely reciprocal, the Two High Contracting Parties engaged in the said Article mutually to make good any Losses which their respective Subjects may incur unjustly, by the arbitrary and illegal Detention of their Vessels, and that this Indemnity shall invariably be borne by the Government whose Cruizer shall been guilty of the arbitrary Detention; provided that the Visit and Detention of Slave Ships specified in the said Article, shall only be effected by those British or Portuguese Vessels which may form Part of the Two Royal Navies, and by those only of such Vessels which are provided with the special Instructions annexed to the said Convention.

Sixth Article.—No British or Portuguese Cruizer shall detain any Slave Ship not having Slaves actually on board; and in order to render lawful the Detention of any Ship, whether British or Portuguese, the Slaves found on board such Vessel must have been brought there for the express Purpose of the Traffic, and those on board Portuguese Ships must have been taken from that Part of the Coast of Africa where the Slave Trade was prohibited by the Treaty of the Twenty-second of January One thousand eight hundred and fifteen.

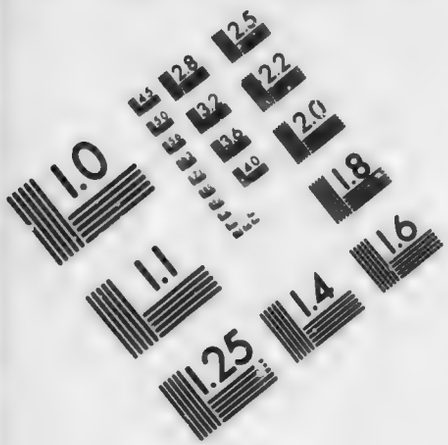
Seventh Article.—All Ships of War of the Two Nations which shall hereafter be destined to prevent the illicit Traffic in Slaves, shall be furnished by their own Government with a Copy of the Instructions annexed to the said Convention, and which shall be considered as an integral Part thereof, and that such Instructions shall be written in Portuguese and English, and signed for the Vessels of each of the Two Powers, by the Minister of their respective Marine, with a Reservation of the Faculty of altering the said Instructions, in whole or in part, according to Circumstances; it being however well understood, that the said Alterations cannot take place but by common Agreement, and by the Consent of the Two High contracting Parties.

Eighth Article.—In order to bring to Adjudication with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in an illicit Traffic in Slaves, there shall be established, within the Space of a Year at furthest from the Exchange of the Ratifications of the said Convention, Two mixed Commissions, formed of an equal Number of Individuals

of the Two Nations, named for the Purpose by their respective Sovereigns; and that those Commissions shall reside, one in a Possession belonging to His Majesty, the other within the Territories of His most Faithful Majesty; and that the Two Governments, at the Period of the Exchange of the Ratifications of the said Convention, should declare, each for its own Dominions, in what Places the Commissions shall respectively reside, each of the Two High Contracting Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Commission held within its own Dominions; provided however, that one of the Two Commissions shall always be held upon the Coast of Africa, and the other in the Brazils; and that these Commissions shall judge the Causes submitted to them, without Appeal, and according to the Regulations and Instructions annexed to the said Convention, of which they shall be considered as an integral Part.

Ninth Article.—His Britannic Majesty, in conformity with the Stipulations of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, engaged to grant, in the Manner herein-after explained, sufficient Indemnification to all the Proprietors of Portuguese Vessels and Cargoes captured by British Cruizers, between the First Day of June One thousand eight hundred and fourteen, and the Period at which the Two Commissions pointed out in the Eighth Article of the said Convention shall assemble at their respective Posts; and His Majesty and His most Faithful Majesty did agree, that all Claims of the Nature before mentioned shall be received and liquidated by a mixed Commission to be held at London, and which shall consist of an equal Number of the Individuals of the Two Nations, named by their respective Sovereigns, and upon the same Principles stipulated by the Eighth Article of the said Convention, and by the other Acts which form an integral Part of the same; and that the aforesaid Commissioners shall commence their Functions Six Months after the Ratification of the said Convention, or sooner if possible. And whereas it was also by the said Convention agreed, that the Proprietors of Vessels captured by the British Cruizers cannot claim Compensation for a larger Number of Slaves than that which according to the existing Laws of Portugal they were permitted to transport according to the Rate of Tonnage of the captured Vessel; and that every Portuguese Vessel captured with

Slaves



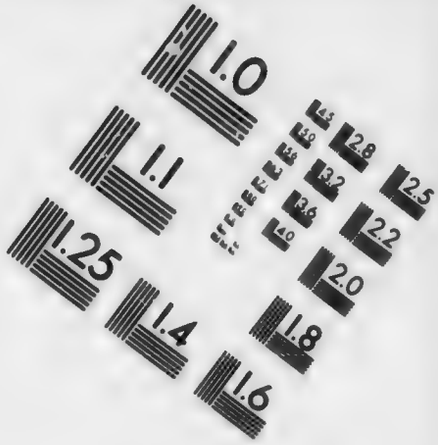
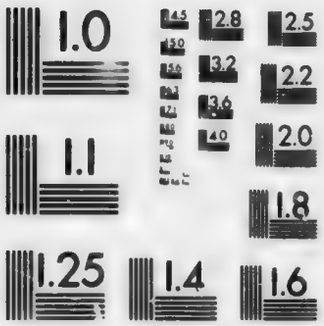
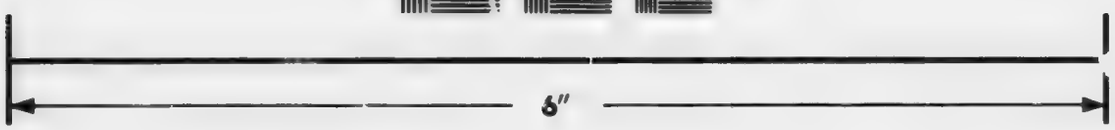
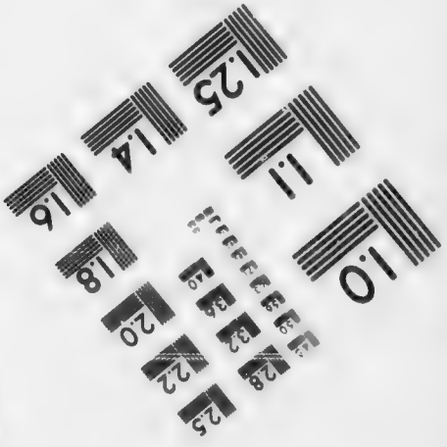


IMAGE EVALUATION TEST TARGET (MT-3)







Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

Slaves on board for the Traffic, which shall be proved to have been embarked within the Territories of the Coast of Africa situated to the North of Cape Palmas, and not belonging to the Crown of Portugal, as well as all Portuguese Vessels captured with Slaves on board for the Traffic, Six Months after the Exchange of the Ratifications of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, and on which it can be proved that the aforesaid Slaves were embarked in the Roadsteads of the Coast of Africa, situated to the North of the Equator, shall not be entitled to claim any Indemnification.

Tenth Article.—His Majesty engaged to pay, within the Space of a Year at furthest from the Decision of each Case, to the Individual having a just Claim to the same, the Sums which shall be granted to them by the Commissioners described in the preceding Articles of the said Convention.

Eleventh Article.—His Majesty engaged to pay the Three hundred thousand Pounds Sterling of Indemnification, stipulated by the Convention of the Twenty-first of January One thousand eight hundred and fifteen, in favour of the Proprietors of Portuguese Vessels captured by British Cruizers up to the Period of the First of June One thousand eight hundred and fourteen, in the Manner following; viz. the First Payment of One hundred and fifty thousand Pounds Sterling, Six Months after the Exchange of the Ratifications of the Convention recited by this Act, and that the remaining One hundred and fifty thousand Pounds Sterling, as well as the Interest at Five per Centum due upon the total Sum, from the Day of the Exchange of the Ratifications of the Convention of the Twenty-first of January One thousand eight hundred and fifteen, should be paid Nine Months after the Exchange of the Ratifications of the Convention recited by this Act; and that the Interest due shall be payable up to the Day of the last Payment; and that all the aforesaid Payments shall be made in London, to the Minister of His most Faithful Majesty at the Court of His Majesty, or to the Persons whom His most Faithful Majesty shall think proper to authorize for that Purpose.

Twelfth Article.—Certain Acts or Instruments annexed to the said Convention shall form an integral Part thereof, and which were as follows; that is to say, First, a Form of Passport for the Portuguese Merchant

Ships destined for the lawful Traffic in Slaves; Secondly, Instructions for the Ships of War of both Nations destined to prevent the illicit Traffic in Slaves; Thirdly, Regulations for the mixed Commissions which are to hold their Sittings on the Coast of Africa, at the Brazils, and in London.

INSTRUCTIONS.

First Article.—Every British or Portuguese Ship of War shall have a Right to visit the Merchant Ships of either of the Two Powers actually engaged or suspected to be engaged in the Slave Trade; and should any Slaves be found on board, according to the Tenor of the Sixth Article of the aforesaid Additional Convention; and as to what regards the Portuguese Vessels, should there be Ground to suspect that the said Slaves have been embarked on a Part of the Coast of Africa where the Traffic in Slaves can no longer be legally carried on in consequence of the Stipulations in force between the Two High Contracting Powers; in these Cases alone the Commander of the said Ship of War may detain them, and having detained them, he is to bring them as soon as possible for Judgment before that of the Two mixed Commissions appointed by the Eighth Article of the Convention which shall be nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained; and that Ships on board of which no Slaves shall be found intended for the Purposes of Traffic, shall not be detained on any Account or Pretence whatever; and that Negro Servants or Sailors that may be found on board the said Vessels cannot in any Case be deemed a sufficient Cause for Detention.

Second Article.—No Merchantman or Slave Ship can on any Account or Pretence whatever be visited or detained, whilst in the Port or Roadstead belonging to either of the Two High Contracting Powers, or within Cannon Shot of the Batteries on Shore; but in case suspicious Vessels should be found so circumstanced, proper Representations may be addressed to the Authorities of the Country, requesting them to take effectual Measures for preventing such Abuses.

Third Article.—In consequence of the immense Extent of the Shores of Africa to the North of the Equator, along which this Commerce continues prohibited,

and the Facility thereby afforded for illicit Traffic, on Points where either the total Absence or at least the Distance of lawful Authorities bar ready Access to those Authorities; in order to prevent it, and for the more readily attaining the salutary End that His Majesty and His most Faithful Majesty did actually grant to each other the Power, without prejudice to the Rights of Sovereignty, to visit and detain, as if on the High Seas, any Vessel having Slaves on board, even within Cannon Shot of the Shore of their respective Territories on the Continent of Africa to the North of the Equator, in case of their being no local Authorities to whom Recourse might be had, as has been stated in the preceding Article; and that in such case, Vessels so visited may be brought before the mixed Commissioners in the Form prescribed in the First Article of the said Instructions.

Fourth Article.—No Portuguese Merchantman or Slave Ship shall, on any Pretence whatever, be detained, which shall be found any where near the Land or on the High Seas South of the Equator, unless after a Chace that shall have commenced North of the Equator.

Fifth Article.—Portuguese Vessels furnished with a regular Passport, having Slaves on board shipped at those Parts of the Coast of Africa where the Trade is permitted to Portuguese Subjects, and which shall afterwards be found North of the Equator, shall not be detained by the Ships of War of the Two Nations, though furnished with the present Instructions, provided the same can account for their Course, either in conformity with the Practice of the Portuguese Navigation, by steering some Degrees to the Northward in search of fair Winds, or for other legitimate Causes, such as the Dangers of the Sea, duly proved; or lastly, in the Case of their Passports proving that they were bound for a Portuguese Port not within the Continent of Africa: Provided always, that with regard to all Slave Ships detained to the North of the Equator, the Proof of the Legality of the Voyage is to be furnished by the Vessel so detained; on the other Hand, with respect to Slave Ships detained to the South of the Equator, in conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is to be exhibited by the Captor: It is in like Manner stipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even should the Number

not agree with that contained in their Passport, shall not be a sufficient Reason to justify the Detention of the Ship; but the Captain and the Proprietors shall be denounced in the Portuguese Tribunals in the Brazils, in order to their being punished according to the Laws of the Country.

Sixth Article.—Every Portuguese Vessel intended to be employed in the legal Traffic in Slaves, in conformity with the Principles laid down in the said Convention, shall be commanded by a Native Portuguese, and Two Thirds at least of the Crew shall likewise be Portuguese; provided always, that its Portuguese or Foreign Construction shall in no wise affect its Nationalty, and that the Negro Sailors shall always be reckoned as Portuguese, provided they belong as Slaves to Subjects of the Crown of Portugal, or that they have been enfranchised in the Dominions of His most Faithful Majesty.

Seventh Article.—Whenever a Ship of War shall meet a Merchant Vessel liable to be searched, it shall be done in the most mild Manner, and with every Attention which is due between Allied and Friendly Nations; and in no Case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navy.

Eighth Article.—The Ships of War which may detain Slave Ships, in pursuance of the Principles laid down in the said Instructions, shall leave on board all the Cargo of Negroes untouched, as well as the Captain, and a Part at least of the Crew of the Slave Ship; and that the Captain shall draw up in Writing an authentic Declaration, which shall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in it; and that he shall deliver to the Captain of the Slave Ship a signed Certificate of the Papers seized on board the said Vessel, as well as of the Number of Slaves found on board at the Moment of Detention; and that the Negroes shall not be disembarked till after the Vessels which contain them shall be arrived at the Place where the Legality of the Capture is to be tried by one of the Two mixed Commissions, in order that in the Event of their not being adjudged legal Prize, the Loss of the Proprietors may be more easily repaired; but that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they shall be disembarked entirely or in Part, before the Vessel can arrive at the

Place of the Residence of One of the said Commissions, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity be stated in a Certificate in proper Form.

NINTH ARTICLE.—No Conveyance of Slaves from one Port of the Brazils to another, or from the Continent or Islands of Africa to the Possessions of Portugal out of America, shall take place as Objects of Commerce, except in Ships provided with Passports from the Portuguese Government ad hoc.

REGULATIONS

FOR

THE MIXED COMMISSIONS,

TO BE ESTABLISHED BY THE SAID CONVENTION UPON THE COAST OF AFRICA AND IN THE BRAZILS.

FIRST ARTICLE.—The said Commissions are appointed to decide upon the Legality of the Detention of such Slave Vessels as the Cruizers of both Nations shall detain, in pursuance of the said Convention for carrying on an illicit Commerce in Slaves; and that the above-mentioned Commissions shall judge, without Appeal, according to the Letter and Spirit of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, and of the said Additional Convention to the said Treaty, signed at London on the Twenty-eighth Day of July One thousand eight hundred and seventeen, and recited in this Act: That the Commissions shall give Sentence as summarily as possible, and they are required to decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from that on which every detained Vessel shall have been brought into the Port where they shall reside; first, upon the Legality of the Capture; secondly, in the Case in which the captured Vessel shall have been liberated, as to the Indemnification which she is to receive: And it is hereby provided, that in all Cases the final Sentence shall not be delayed on account of the Absence of Witnesses, or for Want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties interested, when, upon their giving satisfactory Security to charge themselves with the Expence and Risks of the Delay, the Commissioners may, at their Discretion, grant an additional Delay, not exceeding Four Months.

Second Article.—Each of the above-mentioned mixed Commissions, which are to reside on the Coast of Africa and in the Brazils, shall be composed in the following Manner: The Two High Contracting Parties shall each of them name a Commissary Judge and a Commissioner of Arbitration, who shall be authorized to hear and to decide, without Appeal, all Cases of Capture of Slave Vessels which, in pursuance of the Stipulation of the Additional Convention of this Date, may be laid before them; and that all the essential Parts of the Proceedings carried on before these mixed Commissions, shall be written down in the Language of the Country in which the Commission may reside; and the Commissary Judges, and the Commissioners of Arbitration shall make Oath, in Presence of the Principal Magistrate of the Place in which the Commission may reside, to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, and of the additional Convention to the said Treaty recited in this Act; and that there shall be attached to each Commission a Secretary or Registrar appointed by the Sovereign of the Country in which the Commissions may reside, who shall register all its Acts, and who, previous to taking Charge of his Post shall make Oath, in Presence of at least One of the Commissary Judges, to conduct himself with Respect for their Authority, and to act with Fidelity in all the Affairs which may belong to his Charge.

Third Article.—The Form of the Process shall be as follows: The Commissary Judges of the Two Nations shall in the First Place proceed to the Examination of the Papers of the Vessel, and to receive the Depositions on Oath of the Captain and Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary, in order to be able to judge and to pronounce if the said Vessel has been justly detained or not, according to the Stipulations of the said Additional Convention recited in this Act, and in order that according to this Judgment it may be condemned or liberated; and in the Event of the Two Commissary Judges not agreeing on the Sentence they ought to pronounce, whether as to the Legality of the Detention, or the Indemnification to be allowed, or on any other Question

which might result from the Stipulations of the said Convention, they shall draw by Lot the Name of One of the Two Commissioners of Arbitration, who, after having considered the Documents of the Process, shall consult with the above-mentioned Commissary Judges on the Case in question; and the final Sentence shall be pronounced conformably in the Opinion of the Majority of the above-mentioned Commissary Judges, and of the above-mentioned Commissioner of Arbitration.

Fourth Article.—As often as the Cargo of Slaves found on board of a Portuguese Slave Ship shall have been embarked on any Point whatever of the Coast of Africa where the Slave Trade continues lawful to the Subjects of the Crown of Portugal, such Slave Ship shall not be detained on Pretext that the above-mentioned Slaves shall have been brought originally by Land from any other Part whatever of the Continent.

Fifth Article.—In the authenticated Declaration which the Captors shall make before the Commission, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the above-mentioned Captor shall be bound to declare his Name, the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found living on board of the Slave Ship at the Time of the Detention.

Sixth Article.—As soon as Sentence shall have been passed, the detained Vessel, if liberated, and what remains of the Cargo, shall be restored to the Proprietors, who may before the same Commission claim a Valuation of the Damages which they may have a Right to demand; the Captor himself, and in his Default his Government, shall remain responsible for the above-mentioned Damages; and that the Two High Contracting Powers did bind themselves to defray, within the Term of a Year from the Date of the Sentence, the Indemnifications which may be granted by the above-named Commission, it being understood that these Indemnifications shall be at the Expence of the Power of which the Captor shall be a Subject.

Seventh Article.—In case of the Condemnation of a Vessel for an unlawful Voyage, she shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said

Vessel,

Vessel, as well as her Cargo, shall be sold by Public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the mixed Commission a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Commission which shall have so judged them shall be established, to be employed as Servants or Free Labourers, with Guarantee by each of the Two Governments respectively, the Liberty of such Portion of these Individuals as shall be respectively consigned to it.

Eighth Article.—Every Claim for Compensation of Losses occasioned to Ships suspected of carrying on an illicit Trade in Slaves, not condemned as lawful Prize by the mixed Commissions, shall be also heard and judged by the above-named Commissions, in the Form provided by the Third Article of the said Regulations herein-before recited; and in all Cases wherein Restitution shall be so decreed, the Commission shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification, first, for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, in the Case of total Loss, the Claimant or Claimants shall be indemnified, first, for the Ship, her Tackle, Apparel, and Stores; secondly, for all Freight due and payable; thirdly, for the Value of the Cargo of Merchandize, if any; fourthly, for the Slaves on board at the Time of Detention, according to the computed Value of such Slaves at the Place of Destination, deducting therefrom the usual fair average Mortality for the unexpired Period of the regular Voyage, deducting also for all Charges and Expences payable upon the Sale of such Cargoes, including Commission of Sale when payable at such Port; and fifthly, for all other regular Charges in such Cases of total Loss; and in all other Cases not of total Loss the Claimant or Claimants shall be indemnified, first, for all special Damages and Expences occasioned to the Ship by the Detention, and for Loss of Freight when due or payable; secondly, a Demurrage, when due, according to the Schedule annexed; thirdly, a daily Allowance for the Subsistence of Slaves of One Shilling or One hundred and eighty Reis for each Person, without Distinction of Age or Sex, for so many Days as it shall appear to the Commission that the Voyage has been or may be delayed by reason of such Detention; as likewise, fourthly,

for any Deterioration of Cargo or Slaves; fifthly, for any Diminution in the Value of the Cargo of Slaves proceeding from an increased Mortality beyond the average Amount of the Voyage, or from Sickness occasioned by Detention, this Value to be ascertained by their computed Price at the Place of Destination, as in the above Case of total Loss; sixthly, an Allowance of Five per Centum on the Amount of Capital employed in the Purchase and Maintenance of Cargo for the Period of Delay occasioned by the Detention; and seventhly, for all Premium of Insurance on additional Risks; the Claimant or Claimants shall likewise be entitled to Interest at the Rate of Five per Centum per Annum on the Sum awarded, until paid by the Government to which the capturing Ship belongs; the whole Amount of such Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at Exchange Current at the Time of Award, excepting the Sum for the Subsistence of Slaves, which shall be paid at par, as above stipulated: The Two High Contracting Parties wishing to avoid, as much as possible, every Species of Fraud in the Execution of the Additional Convention of this Date, have agreed, that if it should be proved, in a Manner evident to the Conviction of the Judges of the Two Nations, and without having Recourse to the Decision of a Commissioner of Arbitration, that the Captor has been led into Error by a voluntary and reprehensible Fault on the Part of the Captain of the detained Ship, in that Case only the detained Ship shall not have the Right of receiving, during the Days of her Detention, the Demurrage stipulated by the present Article:

Schedule of Demurrage or Daily Allowance for a Vessel of

100 Tons to 120 inclusive	-	£5	}	per Diem;
121 ditto to 150	- ditto -	6		
151 ditto to 170	- ditto -	8		
171 ditto to 200	- ditto -	10		
200 ditto to 220	- ditto -	11		
221 ditto to 250	- ditto -	12		
251 ditto to 270	- ditto -	14		
271 ditto to 300	- ditto -	15		

and so in proportion.

Ninth Article.—When the Proprietors of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the mixed Commissions (or in the Case as above mentioned of total Loss),

Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no Case be entitled to claim for more than the Number of Slaves which his Vessel was by the Portuguese Laws authorized to carry, which Number shall always be declared in his Passport.

Tenth Article.—The mixed Commission established in London by the Article Ninth of the said Convention herein-before recited, shall hear and determine all Claims for Portuguese Ships and Cargoes captured by British Cruizers, on account of the unlawful Trading in Slaves since the First of June One thousand eight hundred and fourteen, till the Period when the Convention is to be in complete Execution, awarding to them, conformably to the Ninth Article of the said Convention, a just and complete Compensation, upon the Basis laid down in the preceding Article, either for total Loss, or for Losses and Damages sustained by the Owners and Proprietors of the said Ships and Cargoes; and it was also provided, that the said Commission established in London shall be composed and proceed exactly upon the same Basis determined in the Articles of One, Two, and Three of the Regulations herein-before recited for the Commissions established on the Coast of Africa and the Brazils.

Eleventh Article.—It shall not be permitted to any of the Commissary Judges, nor to the Arbitrators, nor to the Secretary of any of the mixed Commissions, to demand or receive from any one of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the Regulations annexed to the Convention as aforesaid.

Ninth Article.—When the Parties interested shall imagine they have Cause to complain of any evident Injustice on the Part of the mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence, for removing when they think fit, the Individuals who may compose these Commissions.

Thirteenth Article.—In the Case of a Vessel detained unjustly under the Pretence of the Stipulations of the Additional Convention of this Date, and in which the Captor should neither be authorized by the Tenor of the above-mentioned Convention, nor of the Instructions annexed to it, the Government to which the detained Vessel may belong, shall be entitled to demand Reparation, and

in

in such Case the Government to which the Captor may belong, binds itself to cause the Subject of Complaint to be fully examined, and to inflict upon the Captor, if he be found to have deserved it, a Punishment proportioned to the Transgression which may have been committed.

Fourteenth Article.—In the Event of the Death of One or more of the Commissioners, Judges, and Arbitrators composing the above-mentioned mixed Commissions, their Posts shall be supplied ad interim in the following Manner: On the Part of the British Government, the Vacancies shall be filled successively, in the Commission which shall sit within the Possessions of His Britannic Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the Place, and by the Secretary; and in the Brazils, by the British Consul and Vice Consul resident in the City in which the mixed Commission may be established; on the Part of Portugal, the Vacancies shall be supplied in the Brazils by such Persons as the Captain General of the Province shall name for that Purpose: And considering the Difficulty which the Portuguese Government would feel in naming fit Persons to fill the Posts which might become vacant in the Commission established in the British Possessions, it is agreed, that in case of the death of the Portuguese Commissioners, Judge, or Arbitrators, in those Possessions, the remaining Individuals of the above-mentioned Commission shall be equally authorized to proceed to the Judgment of such Slave Ships as may be brought before them, and to the Execution of their Sentence; in this Case alone, however, the Parties interested shall have the Right of appealing from the Sentence, if they think fit, to the Commission resident in the Brazils; and the Government to which the Captor shall belong shall be bound fully to defray the Indemnification which shall be due to them, if the Appeal be judged in favour of the Claimants; it being well understood that the Ship and Cargo shall remain during this Appeal in the Place of Residence of the First Commission before whom she may have been conducted: And it was in the said Regulation agreed to supply, as soon as possible, every Vacancy that may arise in the above-mentioned Commissions from Death or any other Contingency; and in case that the Vacancy of each of the Portuguese Commissioners residing in the British Possessions be not supplied at the End of Six Months, the Vessels which are taken

taken there to be judged, after the Expiration of that Time, shall no longer have the Right of Appeal hereinbefore stipulated: And it was also further provided and declared and agreed, in a separate Article, that as soon as the total Abolition of the Slave Trade for the Subjects of the Crown of Portugal shall have taken place, the Two High Contracting Parties, by common Consent, will adapt to that State of Circumstances the Stipulations of the said Additional Convention of the 28th July hereinbefore recited; but in default of such Alterations, that the said Additional Convention shall remain in force until the Expiration of Fifteen Years from the Day on which the general Abolition of the Slave Trade shall so take place on the Part of the Portuguese Government; and that the said separate Article shall have the same Force and Validity as if it were inserted Word for Word in the said Additional Convention herein-before mentioned as aforesaid.

Ships of War duly authorized may seize all suspected Vessels.

And whereas it is expedient and necessary that effectual Provision should be made for carrying into Execution the Provisions of the said Treaty; be it therefore enacted, That it shall be lawful for any Officers commanding any Ship of War of His Majesty, duly authorized and provided with Instructions according to the Provisions of the said Convention, to visit and detain all Vessels which shall be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic, according to the Articles of the said Convention, and to detain and bring to Adjudication all Vessels and Cargoes thereby made subject to Detention and Condemnation, according to the Provisions of the said Convention, and the Instructions and Regulations aforesaid. 58 Geo. 3. c. 85. § 1.

British Vessels suspected of having Slaves on board, subject to Seizure by Portuguese or British Vessels, and to Adjudication by the Commissioners.

All Vessels, belonging wholly or in part to His Majesty's Subjects, suspected upon reasonable Grounds of having Slaves on board acquired by an illicit Traffic, shall be, according to the said Treaty, Convention, and Regulations aforesaid, subject to the Visitation of British or Portuguese Vessels of War, duly authorized for that Purpose, according to the Provisions before recited; and all Vessels belonging wholly or in part to His Majesty's Subjects, which shall have Slaves on board acquired by an illicit Traffic, contrary to the Treaty, Convention, and Regulations, and all Boats, Apparel, Furniture, and Slaves belonging to such Vessels, and all Cargoes therein,

therein, shall be subject to the Visit and Detention of British or Portuguese Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Convention, and to Forfeiture according to the said Convention, and the Regulations and Instructions thereunto annexed, and for that Purpose shall be subject to the Adjudication of, and to Condemnation or other Judgment by the Commissary Judges and Commissioners to be appointed according to the Provisions of the Convention, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 85. § 2.

His Majesty may appoint Commissary Judges and Commissioners of Arbitration.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of the Principal Secretaries of State, may appoint Commissary Judges and Commissioners of Arbitration, and from Time to Time supply any Vacancies which may arise in such Offices, by appointing other Persons; and grant Salaries, not exceeding such annual Sums as the Lords of the Treasury of Great Britain and Ireland shall direct; and such Commissary Judges and Commissioners may examine and decide all Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, detained, seized, taken, or captured under the said Treaty or Convention, or Instructions and Regulations, as are made subject to their Jurisdiction, and to proceed therein, and do all Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty and Convention, and the Instructions and Regulations annexed thereto, as effectually as if special Powers and Authorities were specifically given in relation thereto in this Act. 58 Geo. 3. c. 85. § 3.

Secretary and Registrar to be appointed to the Commission established in His Majesty's Dominions.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, may appoint a Secretary or Registrar to the Commission which shall be established in His Majesty's Dominions, and supply any Vacancy which may thereafter occur, and grant such Salaries as the said Lords Commissioners shall direct; and such Secretary or Registrar may perform all the Duties of such Office, as described in the Convention, Instructions, and Regulations aforesaid, and execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the Convention, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 85. § 4.

The

The Governor or Lieutenant Governor or Principal Magistrate of the Colony or Settlement in which the Commission shall sit, within the Possessions of His Britannic Majesty, may fill up every Vacancy which shall arise in such Commission, either of Commissary Judge, Commissioner, or any Officer thereof, appointed by His Majesty, according to the Regulations annexed to the said Convention, ad interim, until such Vacancy shall be thereafter filled by some Person appointed by His Majesty. 58 Geo. 3. c. 85. § 5.

Vacancies in the Commission to be filled up until some other Person shall be appointed by His Majesty.

Every Commissary Judge and Commisioner of Arbitration, appointed by His Majesty, shall, before he enters upon the Execution of his Office, take an Oath, in the Presence of the Principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Commission shall be appointed to reside, in the Form following; that is to say,

'I A. B. do solemnly swear, That I will, according to 'the best of my Skill and Knowledge, act in the Exe- 'cution of my Office as faithfully, impartially, 'fairly, and without Preference or Favour, either for 'Claimants or Captors, or any other Persons; and that 'I will, to the best of my Judgment and Power, act in 'pursuance of and according to the Stipulations, Re- 'gulations, and Instructions contained in the Conven- 'tion between His Majesty and His most Faithful 'Majesty, signed at London on the Twenty-eighth Day 'of September One thousand eight hundred and seven- 'teen. So help me GOD.'

And every Secretary or Registrar appointed by His Majesty under the Provisions of the Treaty, Regulations and Instructions, and of this Act, shall, before he enters on the Duties of his said Office, take the like Oath before the British Commissary Judge as aforesaid. 58 Geo. 3. c. 85. § 6.

Commissary Judges, Commissioners of Arbitration, Secretary and Registrar, to take Oaths for due Execution of Office.

The said Commissary Judges, or either of them, or any such Secretary or Registrar, may administer Oaths to and take the Depositions of all Persons who may come or be brought before them to be examined, or for the Purpose of deposing, in the Course of any Proceeding before the said Commissary Judges, or before the said Commissary Judges and the Commissioners of Arbitration in the Cases in which such Commissioner of Arbitration shall act with the said Commissary Judges, under the said Convention, Instructions or Regulations, or this Act; and the

Commissary Judges and Commissioners, and their Secretary and Registrar, may administer Oaths and summon Witnesses.

said Commissary Judges, or the said Commissary Judges and Commissioners of Arbitration, in the Cases aforesaid, may summon all Persons whom they may deem it necessary or proper to examine, in relation to any Suit, Matter, or Thing under their Cognizance, and send for and issue Precepts for the producing of such Papers as may relate to the Matters in question before them, and enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do. 58 Geo. 3. c. 85. § 7.

Persons giving false Evidence guilty of Perjury.

Every Person who shall wilfully and corruptly give false Evidence, in any Examination, Deposition, or Affidavit in any Proceeding before the said Commissary Judges or Commissioners aforesaid, shall be deemed guilty of Perjury, and being thereof convicted, shall be liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried, either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in England; and in any Prosecution for such Offence in His Majesty's said Court of King's Bench, the Venue may be laid in the County of Middlesex. 58 Geo. 3. c. 85. § 8.

Suits pending before, or Judgment by any such Commission, to be a Bar, and pleadable as such to any Action, brought for any Thing done under the Treaty.

The Pendency of any Suit or Proceeding instituted before the said Commissioners for the Condemnation or Restitution of any Ship or Cargo or Slaves seized or detained by virtue of the said Convention, Instructions, or Regulations, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be a good and complete Bar in any Action, Suit, or Proceeding instituted for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board, in consequence of any Capture, Seizure, or Detention, or Thing done under the Authority of the said Convention, Instructions or Regulations. 58 Geo. 3. c. 85. § 9.

This Act not to alter or affect any of the Penalties, &c. in any Act for Suppression of the Slave Trade.

Nothing in this Act shall extend to suspend, affect, or repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained in any Act for the Suppression or Prevention of the Slave Trade; but all such Acts shall remain in full Force and Virtue. 58 Geo. 3. c. 85. § 12.

If

If any Action or Suit shall be commenced, either in Great Britain or elsewhere, or against any Person, for any Thing done in pursuance of the said Treaty, Instructions or Regulations, or of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by the Authority of the said Convention, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as in other Cases by Law. 58 Geo. 3. c. 85. § 13.

General Issue may be pleaded, and Treble Costs allowed.

And whereas, by the Ninth Article of the Convention of 28 July 1817, in the said Act of the Fifty-eighth Year aforesaid mentioned and recited, His Britannic Majesty engaged to grant, in the Manner therein-after explained, sufficient Indemnification to all the Proprietors of certain Portuguese Vessels and Cargoes captured by British Cruizers, between 1st June 1814 and the Period at which the Two Commissions pointed out in the Eighth Article of the said Convention should assemble at their respective Ports on the Coast of Africa and in the Brazils; and His Majesty and His most Faithful Majesty did agree, that all Claims of the Nature before mentioned should be received and liquidated by a mixed Commission, to be held at London, and which should consist of an equal Number of the Individuals of the Two Nations, named by their respective Sovereigns, and upon the same Principles stipulated by the Eighth Article of the said Convention, and by the several Instruments which form an integral Part of the said Convention: And whereas by the Tenth Article of the Regulations annexed to and made Part of the said Convention, it was provided, that the said mixed Commission established in London by the said Ninth Article of the said Convention therein and herein-before recited, should hear and determine all Claims for Portuguese Ships and Cargoes captured by British Cruizers on account of the unlawful Trading in Slaves since 1st June 1814, until the Period when the Convention should be in complete Execution, awarding to them, conformably to the Ninth Article of the said Convention, a just and complete Compensation upon the Basis laid down in a pre-

Convention. Art. 9. For appointing a Commission in London, to determine on certain Captures of Portuguese Vessels, after June 1, 1814.

Regulations. Art. 10. Regulating Proceedings on such Commission.

preceding Article of the said Regulations, either for total Loss or for Losses and Damages sustained by the Owners and Proprietors of the said Ships and Cargoes; and it was also provided, that the said Commission established in London should be composed and proceed exactly upon the same Basis determined in the Articles One, Two, and Three, of the said Regulations for the Commissions established on the Coast of Africa and in the Brazils; be it enacted, that it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State for the Time being, to appoint Two Persons to be such Members of the said mixed Commission to be held at London, one of such Persons to be a Commissary Judge, and the other to be a Commissioner of Arbitration, as are in and by the said Ninth Article of the said Convention, and by the Instructions annexed to the said Convention, mentioned to be appointed by His Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto, and to grant Salaries to such Commissary Judge and Commissioner of Arbitration, not exceeding such annual Sums as the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland shall direct; and such Commissary Judge and Commissioner of Arbitration so appointed, are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid detained or captured between the 1st June 1814 and the Period at which the Two Commissions mentioned in the Eighth Article of the said Convention shall assemble at their respective Posts on the Coast of Africa and in the Brazils, as are, by the said Ninth Article of the said Convention and by this Act made subject to their Jurisdiction, and to proceed in all such Cases, and to give such Judgments, and to make such Orders therein, and to do all other Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Convention, and the Instructions and Regulations annexed thereto, as effectually as if special Powers and Authorities for that Purpose were specially inserted and given in relation thereto in this Act. 59 Geo. 3. c. 17. § 2.

His Majesty empowered to appoint a Judge and Arbitrator for such Commission in London.

Appointing Secretary or Registrar.

It shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by one of His Majesty's Principal Secretaries of State, to nominate and

and appoint a Secretary or Registrar to the said Commission to be held at *London*, and from Time to Time to supply by other Appointments any Vacancy which may hereafter occur in such Office, and to grant a Salary to such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of His Majesty's Treasury shall direct; and such Secretary or Registrar is hereby respectively authorized and empowered to execute all the Duties of such Office, set forth in the said Convention, and the Instructions and Regulations thereto annexed, and execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the said Convention, Instructions, and Regulations. 59 Geo. 3. c. 17. s. 3.

Commissary Judges, Commissioners of Arbitration, and Secretary or Registrar, to take Oaths, for due Execution of Office.

Every such Commissary Judge and Commissioner of Arbitration, appointed by His Majesty for the Purposes of this Act, shall, before he shall enter upon the Execution of any of the Duties of his Office, take an Oath before the Lord Chief Justice, or one of His Majesty's Justices of the Court of King's Bench, or before the Lord Chief Baron or one of the Barons of His Majesty's Court of Exchequer at Westminster, for the Time being; which Oath every such Lord Chief Justice, or Lord Chief Baron, or Justice or Baron for the Time being, is hereby authorized to administer, in the Form following; (that is to say),

'I A. B. do solemnly swear, That I will, according to 'the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, 'fairly, and without Prejudice or Favour, either for 'Claimants or Captors, or any other Persons; and that 'I will, to the best of my Judgment and Power, act in 'pursuance of and according to the Stipulations of the 'Treaty of the 22d January 1815, and the additional 'Convention thereto, between His Majesty and His 'most Faithful Majesty, signed at London, on the '28th July 1817. So help me GOD.'

And the Secretary or Registrar to the said Commission shall, before he enters on the Duties of his said Office, take an Oath before the British Commissary Judge as aforesaid, who is hereby empowered to administer the same, in the Form following; (that is to say),

'I A. B. do solemnly swear, That I will, according to 'the best of my Skill and Knowledge, act in the 'Execution of my Office, and that I will conduct myself

'with due Respect to the Authority of the Commissary 'Judges and Commissioners of Arbitration of the Com- 'mission to which I am attached, and will act with 'Fidelity in all the Affairs which may belong to my 'Charge, and without preference of or favour either for 'Claimants or Captors or any other Persons.

'So help me GOD.'

And the like Oaths respectively, in lieu of the Oath prescribed by 58 Geo. 3. c. 85. shall in all Cases be administered to and taken by every Commissary Judge and Commissioner of Arbitration, appointed by His Majesty, or acting ad interim under the said recited Act, in the Presence of the Magistrate authorized by the said Act to administer the Oath in the said Act recited, and by every Secretary or Registrar appointed by His Majesty, or acting ad interim, in the Presence of the British Commissary Judge. 59 Geo. 3. c. 17. § 4.

Commissary Judges and their Secretary or Registrar, may administer Oaths.

Any such Commissary Judge, Secretary or Registrar appointed under this Act, are hereby respectively empowered to administer Oaths to and take the Depositions of all Parties Witnesses and other Persons in the course of any Proceeding before the Commissary Judges of the said Commission to be held in London, or before the said Commissary Judges and a Commissioner of Arbitration, in the Cases in which such Commissioner of Arbitration shall act with the said Commissary Judges under the said Convention and the Instructions and Regulations thereto annexed, or under this Act; and the said Commissary Judges, or the said Commissary Judges and Commissioner of Arbitration, in the Cases aforesaid, may summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Proceeding, Matter, or Thing under their Cognizance, and to send for and issue Precepts for the producing of such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts, by such and the like Means, Powers, and Authorities as are vested in the Commissioners under the said recited Act. 59 Geo. 3. c. 17. § 5.

Persons giving false Evidence, guilty of Perjury.

Every Person who shall wilfully and corruptly give false Evidence in any Examination, or Deposition, or Affidavit, in any Proceeding before the said Commissary Judges or Commissioners aforesaid, under the said Convention, Instructions and Regulations, or under this Act, shall be deemed guilty of Perjury, and being thereof convicted,

convicted, shall be subject to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable. 59 Geo. 3. c. 17. § 6.

Art. 11. of Convention. For Payment of 300,000l. for Captures made before the 1st of June 1814.

And whereas by the Eleventh Article of the said Convention of 28th July 1817, His Majesty engaged to pay the Sum of Three hundred thousand Pounds Sterling, of Indemnification stipulated by a certain Convention of 21st January 1815, in favour of the Proprietors of Portuguese Vessels captured by British Cruizers, up to the Period of the 1st June 1814, with Interest, in the Manner and at the Times in the said Convention of 28th July 1817 mentioned; the Payment of the said Sum to be made in London to the Minister of His most Faithful Majesty, at the Court of His Majesty, or to the Persons whom His most Faithful Majesty should think proper to authorize for that Purpose: And whereas the said Sum of Three hundred thousand Pounds and Interest hath been duly paid by His Majesty to His most Faithful Majesty, for the Purposes in the said Conventions mentioned; be it enacted, that the said Sum of Three hundred thousand Pounds and Interest, stipulated to be paid by the said Two Conventions, and paid and accepted accordingly, as a full Compensation for all Losses sustained by the Subjects of His most Faithful Majesty, on account of Vessels captured up to the First Day of June One thousand eight hundred and fourteen, shall be considered and taken to be a full Compensation for all such Captures as aforesaid; and that the said Stipulation contained in the said Convention of 21st January 1815, and recited in the Eleventh Article of the said Convention of 28th July 1817, and in the said Act of the last Session and in this present Act, may be pleaded in Bar or given in Evidence upon the General Issue, and shall be and be deemed and adjudged in every Court whatever, to be a good and complete Bar in any and every Action, Suit, or Proceeding, brought or instituted, or to be brought or instituted for Restitution or any other Matter or Thing in relation to any such Capture, or for any Damage or Injury sustained thereby or in relation thereto. 59 Geo. 3. c. 17. § 7.

Recited Article may be pleaded in bar of any Action for such Capture.

No Claims or Suits for Ships captured under the Convention, &c. shall be brought, except before Commissions appointed under that Convention.

From and after the passing of this Act, it shall not be lawful for any Person to commence, prosecute, or proceed in any Claim, Action, or Suit whatever, in the High Court of Admiralty, or in any other Court, or before any Judges or Persons whomsoever, other than the several Commissions appointed by virtue of the said Convention of 28 July 1817, and the said recited Act and this Act,

for the Condemnation or Restitution of any Ship or Cargo or Slaves, or for any Compensation or Indemnification for any Loss or Damage, or for any Injury sustained by such Ship, Cargo, or Slaves, or by any Persons on board any such Ship, in consequence of any such Capture or Detention which shall have been or shall be made under the Authority or in pursuance of the Provisions of the said Convention, or of the Instructions or Regulations thereto annexed, or of the said recited Act or this Act, or which may be or become the Subject of Adjudication or Compensation by, or be brought before the Commission to be held at London under the Authority of the said Convention and this Act; that the Pendency of any Claim, Suit, or Proceeding instituted before any of the Commissions so to be appointed under the Authority of the said Convention and the said recited Act and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves taken or detained by virtue of the said Convention, or of the Instructions or Regulations thereunto annexed, or subject to the Jurisdiction and Adjudication of the said Commission in London, or for any Compensation or Indemnification for any Loss or Damage, in consequence of the taking or detaining any such Ship, or the final Adjudication, Condemnation, Judgment, or Determination of any such Commission, as the Case shall require, may be pleaded in Bar or given in Evidence under the General Issue; or in case no such Claim, Suit, or Proceeding shall have been instituted before any such Commission, then the said Convention and the said recited Act and this Act may in like Manner be pleaded in Bar or given in Evidence under the General Issue; and every such Plea in Bar or Evidence so given under the General Issue, shall be deemed and adjudged to be a good and complete Bar and Satisfaction to any such Claim, Action, Suit, or Proceeding, in any Court or Place, other than before such Commission. 59 Geo. 3. c. 17. § 8.

Jurisdiction of Prize Courts of Appeal or of Admiralty, in Cases of any such Capture brought before them.

And whereas by the Ninth Article of the said Convention of 28th July 1817, before recited, His Majesty engaged to grant in the Manner therein-after explained, sufficient Indemnification to all the Proprietors of Portuguese Vessels and Cargoes captured by British Cruizers between the 1st June 1814, and the Period at which the Two Commissions pointed out in the Eighth Article of the said Convention should assemble at their respective Posts; and by the Eleventh Article of the said Convention before recited, His Majesty engaged to pay the said Sum

Sum of Three hundred thousand Pounds for the Purposes herein-before mentioned, and it is therefore just that such Ships, Vessels and Cargoes, or the Proceeds thereof, for and in respect of which His Majesty shall as aforesaid pay or be liable to pay any Indemnity or Compensation, and to which the Captors or Seizors shall not establish any Right or Interest, should be delivered or paid to the Use or Disposal of His Majesty; be it therefore enacted, that it shall be lawful for the Lords Commissioners of Appeal in Prize Causes, and for the High Court of Admiralty, in all Cases and Questions arising out of the Captures of any such Ships, Vessels or Cargoes of any Subjects of His most Faithful Majesty, as well before the 1st June 1814, as between the said 1st June 1814 and the Period above described, which shall be depending before them, or which may be brought before them on Appeal from any Vice Admiralty Court, according to their respective Jurisdictions, to proceed therein, and to hear and determine all Questions respecting any Right or Interest in or to any such Ships, Vessels or Cargoes so captured, to which His Majesty or the Captors or Seizors of such Ships, Vessels or Cargoes, may claim to be entitled by reason of the Capture or Seizure thereof, and to enforce their Judgments and Orders therein, by the usual Process of the said Courts: And in all such Cases as aforesaid, in which the Captors or Seizors shall not establish any Right or Interest on their Behalf, by reason of any such Capture, it shall be lawful for the said Courts respectively to order and adjudge the Ships, Vessels, and Cargoes, or the Proceeds thereof, to which the Captors shall not establish any Right or Interest, to be delivered or paid to the Use or Disposal of His Majesty, to such Persons as the said Commissioners of His Majesty's Treasury shall appoint to receive the same, and to enforce the Delivery or the Payment thereof by the usual Process of the said Courts respectively. 59 Geo. 3. c. 17. § 9.

Provision in case of Captors not establishing their Rights.

The said recited Act of the Fifty-eighth Year aforesaid, so far as the same is not expressly altered or repealed by this Act, shall remain in force; and the said recited Act and this Act shall be construed together as one Act, so far as the same are compatible and consistent with each other, and as if the Clauses and Provisions in this Act contained had been inserted in the said recited Act of the Fifty-eighth Year aforesaid, and had made Part thereof. 59 Geo. 3. c. 17. § 10.

Recited Act and this Act shall be construed together.

TREATY WITH THE NETHERLANDS,

FOR PREVENTING TRAFFIC IN SLAVES,

Signed at the Hague, 4th May 1818.

Art 1. Slave Trade abolished.

WHEREAS by the FIRST ARTICLE of the said Treaty, after reciting that the Laws of the United Kingdom of Great Britain and Ireland rendering it already highly penal for the Subjects of His Britannic Majesty to carry on or to be in any way engaged in Trade in Slaves, His Majesty the King of the Netherlands, referring to the Eighth Article of the Convention entered into with His Britannic Majesty on the 13th August 1814, engages, in pursuance thereof, and within Eight Months from the Ratification of the said Treaty, or sooner if possible, to prohibit all his Subjects in the most effectual Manner, and especially by penal Laws the most formal, to take any Part whatever in the Trade of Slaves; and in the Event of the Measures already taken by the British Government, and to be taken by that of the Netherlands, being found ineffectual or insufficient, His Majesty and His Majesty the King of the Netherlands, mutually engage to adopt such further Measures, whether by legal Provision or otherwise, as may from Time to Time appear to be best calculated in the most effectual Manner to prevent all their respective Subjects from taking any Share whatever in this nefarious Traffic.

Art. 2. Merchant Vessels with Slaves may be detained.

SECOND ARTICLE.—For the more complete Attainment of the Object of preventing all Traffic in Slaves on the Part of their respective Subjects, His Majesty and His Majesty the King of the Netherlands mutually consent, that the Ships of their Royal Navies, which shall be provided with special Instructions for this Purpose, as therein-after mentioned, may visit such Merchant Vessels of the Two Nations as may be suspected upon reasonable grounds of having Slaves on board destined for an illicit Traffic; and in the Event only of their finding such Slaves on board, may detain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals established for this Purpose, as thereinafter specified.

Art 3. Mode of making such Visits; which are not to

THIRD ARTICLE.—For the explaining the Mode of Execution of the preceding Article, it is agreed; First, that such reciprocal Right of Visit and Detention shall not

not be exercised within the Mediterranean Sea, or within the Seas in Europe lying without the Straits of Gibraltar, and which lie to the Northward of the Thirty-seventh Parallel of North Latitude, and also within and to the Eastward of the Meridian of Longitude Twenty Degrees West of Greenwich; Secondly, that the Names of the several Vessels furnished with such Instructions, the Force of each, and the Names of their several Commanders, shall be from Time to Time, immediately upon their Issue, communicated by the Power issuing the same to the other of the said Powers; Thirdly, that the Number of Ships of each of the Royal Navies, authorized to make such Visit as aforesaid, shall not exceed the Number of Twelve, belonging to either of them, His said Majesty or His Majesty the King of the Netherlands, without the special Consent of the other of them being first had and obtained; Fourthly, that if at any Time it should be deemed expedient that any Ship of the Royal Navy of either of them, His said Majesty or His Majesty the King of the Netherlands, authorized to make such Visit as aforesaid, should proceed to visit any Merchant Ship or Ships under the Flag and proceeding under the Convoy of any Vessel or Vessels of the Royal Navy of the other of them, His said Majesty or His Majesty the King of the Netherlands, that the Commanding Officer of the Ship duly authorized and instructed to make such Visit, shall proceed to effect the same in communication with the Commanding Officer of the Convoy, who it is thereby agreed shall give every Facility to such Visit, and to the eventual Detainer of the Merchant Ship or Ships so visited, and in all Things assist to the utmost of his Power in the due Execution of the said Convention, according to the true Intent and Meaning thereof; Fifthly, it is further mutually agreed, that the Commanders of the Ships of the Two Royal Navies who shall be employed on this Service, shall adhere strictly to the exact Tenor of the Instructions which they shall receive for this Purpose.

be made in the Mediterranean, or certain Parts of the European Seas.

Fourth Article.—His Majesty and His Majesty the King of the Netherlands engage mutually to make good any Losses which their respective Subjects may incur unjustly by the arbitrary and illegal Detention of their Vessels, it being understood that this Indemnity shall invariably be borne by the Government whose Cruizer shall have been guilty of the arbitrary Detention; and that the Visit

Art. 4. Indemnity for Losses by unjust Detention.

Visit and Detention of Ships specified in the said Article shall only be effected by those British or Netherland Vessels which may form Part of the Two Royal Navies, and by those only of such Vessels which are provided with the special Instructions annexed to the said Treaty, in pursuance of the Provisions thereof.

Art. 5. Ships not having Slaves not to be detained.

Fifth Article.—No British or Netherland Cruizer shall detain any Ship whatever, not having Slaves actually on board; and in order to render lawful the Detention of any Ship, whether British or Netherland, the Slaves found on board such Vessel must have been brought there for the express Purpose of the Traffic.

Art. 6. Instructions to be annexed to this Treaty.

Sixth Article.—All Ships of the Royal Navies of the Two Nations, which shall hereafter be destined to prevent the Traffic in Slaves, shall be furnished by their respective Governments with a Copy of the Instructions annexed to the said Treaty, and which shall be considered as an integral Part thereof, with a Proviso nevertheless in the said Treaty, that His Majesty and His Majesty the King of the Netherlands, with mutual Consent, may alter the said Instructions in Whole or in Part, according to Circumstances.

Art. 7. Mixed Courts appointed for Adjudication of detained Vessels.

Seventh Article.—In order to bring to Adjudication, with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in a Traffic of Slaves, according to the Tenor of the Fifth Article of the said Treaty, it is agreed, that there shall be established, within the Space of a Year at farthest from the Exchange of the Ratification of the said Treaty, Two mixed Courts of Justice, formed of an equal Number of Individuals of the Two Nations, named for this Purpose by their respective Sovereigns; that these Courts shall reside, one in a Possession belonging to His Britannic Majesty, the other within the Territories of His Majesty the King of the Netherlands; and that the Two Governments, at the Period of the Exchange of the Ratifications of the said Treaty, shall declare each for its own Dominions in what Places the Courts shall respectively reside, each reserving to itself the Right of changing at its Pleasure the Place of Residence of the Courts within its own Dominions: provided however, that One of the Two Courts shall always be held upon the Coast of Africa, and the other in One of the Colonial Possessions of His Majesty the King of the Netherlands; and that these Courts shall judge the Causes submitted to them according

ing

ing to the Terms of the said Treaty, without Appeal, and according to the Regulations and Instructions annexed to the said Treaty, of which they shall be considered as an integral Part.

Art. 8. Punishment of Naval Officers for Misconduct.

Eighth Article.—In case the Commanding Officer of any of the Ships of the Royal Navies of Great Britain and of the Netherlands, commissioned under the Second Article of the said Treaty, shall deviate in any respect from the Dispositions of the said Treaty, and shall not be enabled to justify himself, either by the Tenor of the said Treaty, or of the Instructions annexed to it, the Government which shall conceive itself to be wronged by such Conduct, shall be entitled to demand Reparation; and in such case the Government to which the Captor may belong, binds itself to cause Inquiry to be made into the Subject of the Complaint, and to inflict upon the Captor, if he be found to have deserved it, a Punishment proportioned to the Transgression which may have been committed.

Art. 9. Instructions and Regulations declared Part of the Treaty.

Ninth Article.—Certain Acts or Instruments annexed to the said Treaty shall form an integral Part thereof, and which are as follows, that is to say; Instructions for the Ships of the Royal Navies of both Nations, destined to prevent the Traffic in Slaves, and Regulations for the mixed Courts of Justice which are to hold their Sittings on the Coast of Africa, and in One of the Colonial Possessions of His Majesty the King of the Netherlands.

INSTRUCTIONS

ANNEXED TO THE TREATY.

Art. 1. Mode of Detention, &c. of Ships.

First Article.—Every Ship of the Royal British or Netherland Navy, which, furnished with the said Instructions, shall in conformity with the Second Article of the said Treaty, have a Right to visit the Merchant Ships of either of the Two Powers actually engaged, or suspected to be engaged, in the Slave Trade, may (except in the Seas exempted by the Third Article of the said Treaty) proceed to such Visit, and should any Slaves be found on board for the express Purpose of being made a Traffic of, the Commander of the said Ship of the Royal Navy may detain them, and having detained them, he is to bring them as soon as possible for Judgment before that of the two mixed Courts of Justice, appointed by the Seventh

Seventh Article of the Treaty, which shall be the nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Ship shall have been detained; and that Ships on board of which no Slaves shall be found intended for Purposes of Traffic, shall not be detained on any Account or Pretence whatever; and that Negro Servants or Sailors that may be found on board the said Vessels, cannot in any case be deemed a sufficient Cause for Detention.

Art. 2. Search shall be made in a friendly Manner.

Second Article.—Whenever a Ship of the Royal Navy so commissioned shall meet a Merchantman liable to be searched, it shall be done in the mildest Manner, and with every Attention which is due between allied and friendly Nations; and in no case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navies of Great Britain and of the Netherlands.

Art. 3. Cargo, &c. shall be left on board detained Ships.

Third Article.—The Ships of the Royal Navies so commissioned, which may detain any Merchant Ship, in pursuance of the Tenor of the said Instructions, shall leave on board all the Cargo, as well as the Master, and a Part at least of the Crew of the said Ship; and that the Captor shall draw up in Writing an authentic Declaration, which shall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in it; and that he shall deliver to the Master of the detained Ship a signed Certificate of the Papers seized on board the said Vessel, as well as the Number of Slaves found on board at the Moment of Detention; and that the Negroes shall not be disembarked till after the Vessels which contain them shall be arrived at the Place where the Legality of the Capture is to be tried, by one of the two mixed Courts, in order that in the Event of their not being adjudged legal Prize, the Loss of the Proprietors may be more easily repaired; but that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they should be so disembarked, entirely or in part, before the Vessel can arrive at the Place of Residence of one of the said Courts, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity be stated in a Certificate in proper Form.

REGULATIONS

FOR

THE MIXED COURTS OF JUSTICE,

WHICH ARE TO RESIDE ON THE COAST OF AFRICA AND IN A COLONIAL POSSESSION OF THE KING OF THE NETHERLANDS.

Art. 1. Mode of proceeding before the mixed Courts.

FIRST ARTICLE.—The said mixed Courts of Justice so to be established by the said Treaty shall decide upon the Legality of the Detention of such Vessels as the Cruizers of both Nations shall detain in pursuance of the said Treaty, and that the said Courts shall judge definitively and without Appeal according to the said Treaty, and that the Proceeding shall take place as summarily as possible; and the said Courts shall decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from that on which every detained Vessel shall have been brought into the Port where they shall reside; first, upon the Legality of the Capture; secondly, in the Cases in which the captured Vessel shall have been liberated, as to the Indemnification which the said Vessel is to receive; and it is by the said Article of the said Regulations provided, that in all Cases the final Sentence shall not be delayed on account of the Absence of Witnesses, or for want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties interested, when upon their giving satisfactory Security to charge themselves with the Expence and Risk of the Delay, the Courts may at their Discretion grant an additional Delay, not exceeding Four Months.

Art. 2. How such mixed Courts shall be composed.

SECOND ARTICLE. — Each of the above-mentioned mixed Courts, which are to reside on the Coast of Africa, and in a Colonial Possession of His Majesty the King of the Netherlands, shall be composed in the following Manner, that is to say, that His Majesty, and His Majesty the King of the Netherlands, shall each of them name a Judge and an Arbitrator, who shall be authorized to hear and to decide without Appeal all Cases of Capture of Vessels, which in pursuance of the Stipulations of the said Treaty shall be brought before them; and that all the essential Parts of the Proceedings carried on before these mixed Courts shall be written down in the legal

legal Language of the Country in which the Court may reside; and that the Judges and the Arbitrators shall make Oath before the principal Magistrate of the Place in which the Courts may reside, to judge fairly and faithfully, to have no Preference either for the Claimants or Captors, and to act in all their Decisions in pursuance of the Stipulations of the said Treaty; and that there shall be attached to each Court a Secretary or Registrar, appointed by the Sovereign of the Country in which the Court may reside, who shall register all its Acts, and who, previous to his taking Charge of his Post, shall make Oath before the Court, to conduct himself with Respect for their Authority, and to act with Fidelity in all the Affairs which may belong to his Charge.

Art. 3. Form of the Process.

THIRD ARTICLE.—The Form of the Process shall be as follows, (that is to say), the Judges of the Two Nations shall in the first Place proceed to the Examination of the Papers of the Vessels, and to receive the Depositions of the Captain, and of Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary in order to be able to judge and to pronounce whether the said Vessel has been justly detained or not, according to the Stipulations of the said Treaty, and in order that, according to such Judgment, it may be condemned or liberated; and in the Event of the Two Judges not agreeing in the Sentence they ought to pronounce, either as to the Legality of the Detention, or the Indemnification to be allowed, or any other Question which might result from the Stipulations of the said Treaty, they shall draw by Lot the Name of One of the Two Arbitrators, who, after having considered the Documents of the Process, shall consult with the said Judges on the Case in question, and the final Sentence shall be pronounced conformably to the Opinion of the Majority of the said Judges and of the said Arbitrator.

Art. 4. Declaration of Captor.

FOURTH ARTICLE.—In the authenticated Declaration which the Captor shall make before the Court, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the Captor shall be bound to declare his Name, and the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found on board of the Ship at the Time of the Detention.

FIFTH

Art. 5. Indemnity on Liberation of Vessels, &c.

FIFTH ARTICLE.—As soon as Sentence shall have been pronounced, the detained Vessel, if liberated, and the Cargo, in the State in which it shall then be found, shall be restored to the Master or the Person who represents him, who may, before the same Court, claim a Valuation of the Damages which he may have a Right to demand; and the Captor himself, and in his Default his Government, shall remain responsible for the above-mentioned Damages; and the said Governments respectively bind themselves to pay within the Term of a Year from the Date of the Sentence the Costs and Damages which may be granted by the above-named Court, it being understood that these Costs and Damages shall be at the Expence of the Power of which the Captor shall be a Subject.

Art. 6. Proceedings on Condemnation.

SIXTH ARTICLE.—In case of the Condemnation of a Vessel she shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said Vessel, as well as her Cargo, shall be sold by public Sale for the Profit of the Two Governments; and as to the Slaves, they shall receive from the mixed Court a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Court which shall have so judged them shall be established, to be employed as Servants or free Labourers; and each of the Two Governments binds itself to guarantee the Liberty of such Portion of these Individuals as shall be respectively consigned to it.

Art. 7. Compensation for Detention of Vessels not condemned.

SEVENTH ARTICLE.—The said mixed Courts shall also take Cognizance and decide, according to the Third Article of the said Regulations, on all Claims for Compensation on account of Losses occasioned to Vessels detained under Suspicion of having been engaged in the Slave Trade, but which shall not have been condemned as legal Prize by the said Courts; and in all Cases wherein Restitution shall be decreed, the Court shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, first, in case of total Loss, the Claimant or Claimants shall be indemnified, (A) for the Ship, her Tackle, Apparel and Stores; (B) for all Freights due and payable; (C) for the Value of the Cargo or Merchandize, if any, deducting for all Charges and Expences payable upon the

On Total Loss.

Sale of such Cargoes, including Commission of Sale; (D) for all other regular Charges in such Cases of total Loss; and, secondly, in all other Cases, not of total Loss, the Claimant or Claimants shall be indemnified, (A) for all special Damages and Expences occasioned to the Ship by the Detention, and for the Loss of Freight when due or payable; (B) a Demurrage, when due, according to the Schedule annexed to the said Article; (C) for any Deterioration of Cargo; (D) an Allowance of Five per Centum on the Amount of the Capital employed in the Purchase of Cargo, for the Period of the Delay occasioned by the Detention; and (E) for all Premium of Insurance on additional Risks; and the Claimant or Claimants shall in all Cases be entitled to Interest at the Rate of Five per Centum per Annum on the Sum awarded, until paid by the Government to which the capturing Ship belongs; the whole Amount of such Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at the Exchange current at the Time of the Award; and to avoid, as much as possible, every Species of Fraud in the Execution of the said Treaty, it is also by the said Seventh Article of the said Regulations agreed, that if it should be proved in a Manner evident to the Conviction of the Judges of the Two Nations, and without having recourse to the Decision of an Arbitrator, that the Captor has been led into Error by a voluntary and reprehensible Fault on the Part of the Captain of the detained Ship, in that Case only, the detained Ship shall not have the Right of receiving, during the Days of her Detention, the Demurrage stipulated by the said Seventh Article; and to the said Seventh Article a Schedule of Demurrage or daily Allowance is annexed, as follow; that is to say; for a Vessel of

Partial Loss.

Miseonduct of Captain of detained Ship.

Scale of Demurrage.

100 Tons to 120 inclusive	£ 5		
121 ditto - 150 ditto	6		
151 ditto - 170 ditto	8		
171 ditto - 200 ditto	10	}	per Di
201 ditto - 220 ditto	11		
221 ditto - 250 ditto	12		
251 ditto - 270 ditto	14		
271 ditto - 300 ditto	15		

and so on in proportion.

Art. 8.

Judges, &c. shall not receive Rewards from Parties.

Eighth Article.—Neither the Judges, nor the Arbitrators, nor the Secretary of the mixed Co[illegible] shall be permitted

permitted to demand or receive from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the said Regulations.

Art. 9. Supplying Vacancies of Judges.

NINTH ARTICLE.—In the Event of the Death or legal Impediment of One or more of the Judges or Arbitrators composing the above-mentioned mixed Courts, their Posts shall be filled *ad interim* in the following Manner; that is to say, on the Part of the British Government the Vacancies shall be filled successively in the Court which shall sit within the Possession of His Britannic Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the same, and by the Secretary; and in that which shall sit within the Possessions of His Majesty the King of the Netherlands, it is agreed, that in case of the Death of the British Judge or Arbitrator there, the surviving Individuals of the said Court shall proceed equally to the Judgment of such Ships as may be brought before them, and to the Execution of their Sentence; and that on the Part of the Netherlands, the Vacancies shall be supplied in the Possessions of His Majesty the King of the Netherlands, successively by the Governor or Lieutenant Governor, the principal Magistrate and Secretary of Government; and upon the Coast of Africa, in case of the Death of any Netherland Judge or Arbitrator, the surviving Members of the Court shall proceed to Judgment in the same Manner as above specified for the Court resident in the Possession of His Majesty the King of the Netherlands, in the Event of the Death of the British Judge or Arbitrator: And it is by the said Article further agreed, that the Governor or Lieutenant Governor of any Settlement of either Power, where neither of the said mixed Courts shall sit, in the Event of a Vacancy arising, either of the Judge or Arbitrator of the other Power, shall forthwith give Notice of the same to the Governor or Lieutenant Governor of the nearest Settlement of such Power, in order that the Loss may be supplied at the earliest possible Period; and that the Vacancies which may arise in the above-mentioned Courts, from Death or any other Cause whatever, shall be supplied definitely as soon as possible.

And whereas it is expedient and necessary that effectual Provision should be made for carrying into Execution the

Ships of War, duly authorized, may seize all Netherland Vessels acting contrary to the said Treaty, except in certain Seas.

Provisions of the said Treaty; be it therefore enacted, That it shall be lawful for any Officers commanding any Ship of War of His Majesty, duly authorized in that Behalf, and provided with Instructions according to the Provisions of the said Treaty, to visit and detain in any Seas (except in the Seas excepted in the Third Article of the said Treaty) all Ships and Vessels belonging wholly or in part to Subjects of His Majesty the King of the Netherlands, which shall be suspected upon reasonable Grounds of having Slaves on board for the Purpose of Traffic, contrary to the Articles of the said Treaty, and to detain and bring to Adjudication all Ships, Vessels, and Cargoes, by the said Treaty made subject to Detention and Condemnation, according to the Provisions of the said Treaty, and the Instructions and Regulations aforesaid. 59 Geo. 3. c. 16. § 1.

British Vessels trading in Slaves, or acting contrary to the Treaty, subject to Seizure by British or Netherland Vessels, and to Condemnation by the Judges appointed according to such Treaty.

All Ships and Vessels belonging wholly or in part to His Majesty's Subjects, which shall be suspected upon reasonable Grounds of having Slaves on board for the Purpose of illicit Traffic, shall be and are hereby declared, according to the said Treaty, Instructions, and Regulations aforesaid, subject to the Visitations of British or Netherland Vessels of War, duly authorized for that Purpose according to the Provisions before recited; and that all Ships and Vessels belonging wholly or in part to His Majesty's Subjects, which shall be found having Slaves on board for the Purpose of illicit Traffic, contrary to the Treaty, Instructions, and Regulations, and all Boats, Apparel, Furniture, and Stores belonging to such Ships or Vessels, and all Slaves and Cargoes therein, shall be subject to the Visit and Detention of British or Netherland Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Treaty, and to Forfeiture according to the Provisions of the said Treaty, and the Instructions and Regulations thereunto annexed, and for that Purpose shall be and are hereby made subject to the Adjudication of, and to Condemnation or other Judgment by the Judges and Arbitrators to be appointed according to the Provisions of the Treaty, Instructions and Regulations annexed thereto. 59 Geo. 3. c. 16. § 2.

Such Visit and Detention shall not take place in the Mediterranean, &c.

Provided, that such Right of Visit and Detention shall not be exercised within the Mediterranean Sea, nor within the Seas in Europe lying without the Straits of Gibraltar, and which lie to the Northward of the Thirty-seventh Parallel

Parallel of North Latitude, and also within and to the Eastward of the Meridian of Longitude Twenty Degrees West of Greenwich; and that Ships on board which no Slaves shall be found intended for the Purpose of Traffic, shall not be detained under the Authority of this Act, on any Account or Pretence whatever; and that Negro Servants or Sailors who may be found on board any Vessels, shall not in any case be deemed a sufficient Cause for Detention. 59 Geo. 3. c. 16. § 3.

British Ships of War visiting Merchant Ships under Netherland Convoy, shall act in concert with Commander of Convoy.

If at any Time it shall be deemed expedient that any Ship of His Majesty's Navy, authorized to make such Visit, should proceed to visit any Merchant Ship under the Flag and proceeding under the Convoy of any Vessel of the Royal Navy of His Majesty the King of the Netherlands, the Commanding Officer of His Britannic Majesty's Ship, duly authorized and instructed to make such Visit, shall in all Cases proceed to effect the same in communication with the Commanding Officer of such Convoy; and in case it shall be deemed expedient that any Ship of the Royal Navy of His Majesty the King of the Netherlands, authorized to make such Visit, should proceed to visit any Merchant Ship or Ships under the Flag and proceeding under the Convoy of any Vessel or Vessels of His Britannic Majesty's Navy, the Commanding Officer of such Convoy (in communication with whom the Commanding Officer of the Ship of His Majesty the King of the Netherlands, duly authorized and instructed to make such Visit, shall proceed to effect the same) shall give every Facility to such Visit, and to the eventual Detention, according to the said Treaty, of the Merchant Ship so visited, and shall in all Things assist to the utmost of his Power in the due Execution of the said Treaty. 59 Geo. 3. c. 16. § 4.

For appointing British Judges and Arbitrators according to the Treaty.

Salaries.

It shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, to appoint such Judges and Arbitrators as are in and by the said Treaty and the Regulations thereto annexed, mentioned to be appointed by His Majesty, and to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto; and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland shall from Time to Time direct; and such Judges and

Arbitrators are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, detained, taken, or captured under the said Treaty, Instructions, and Regulations, as are by the said Treaty, Instructions and Regulations, and by this Act, made subject to their Jurisdiction; and to proceed therein, and give such Judgments, and make such Orders therein, and to do all other Acts, Matters, and Things appertaining thereto, agreeable to the Provisions of the Treaty, Instructions and Regulations, as effectually to all Intents and Purposes as if special Powers and Authorities for that Purpose were particularly inserted and given in relation thereto in this Act. 59 Geo. 3. c. 16. § 5.

Appointment of Secretary or Registrar.

It shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State for the Time being, to appoint a Secretary or Registrar to the Court which shall be established in His Majesty's Dominions, and to supply, by other Appointments, any Vacancy which may thereafter occur in such Office; and to grant a Salary to such Secretary or Registrar, not exceeding such Annual Sum as the said Commissioners of His Majesty's Treasury shall direct; and such Secretary or Registrar is hereby respectively authorized and empowered to execute all the Duties of such Office, as described in the said Treaty, Instructions, and Regulations respectively, and to execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the said Treaty, Instructions and Regulations. 59 Geo. 3. c. 16. § 6.

Filling up Vacancies ad interim.

It shall be lawful for the Governor or Lieutenant-Governor, or principal Magistrate of the Colony or Settlement in which such Court shall sit, within the Possession of His Britannic Majesty, to fill up every Vacancy which shall arise in such Court, either of Judge, Arbitrator, or any Officer thereof appointed by His Majesty as aforesaid, according to the Provisions contained in the before-recited Regulations, annexed to the said Treaty as aforesaid, *ad interim*, until such Vacancy shall be thereafter filled by some Person appointed by His Majesty. 59 Geo. 3. c. 16. § 7.

Judges, Arbitrators, and Officers to be sworn.

Every Judge and Arbitrator appointed by His Majesty, or *ad interim* as aforesaid, shall, before he shall enter upon the Execution of the Duties of his Office, take an Oath, in the Presence of the principal Magistrate then residing

residing and acting in the Colony, Settlement, or Place in which the Court shall be appointed to reside; which Oath every such Magistrate in any Colony, Settlement, or Place belonging to His Majesty, in which such Court shall be appointed, is hereby authorized to administer in the Form following; (that is to say),

'I *A. B.* do solemnly swear, That I will, according to 'the best of my Skill and Knowledge, act in the Exe- 'cution of my Office as 'faithfully, impartially, fairly, and without Preference 'or Favour, either for Claimants or Captors, or any 'other Persons; and that I will, to the best of my Judg- 'ment and Power, act in pursuance of and according 'to the Stipulations, Regulations, and Instructions con- 'tained in the Treaty between His Majesty and His 'Majesty the King of the Netherlands, signed at the 'Hague, on the 4th May 1818. So help me GOD.'

And every Secretary or Registrar appointed by His Majesty, or *ad interim* as aforesaid, under the Provisions of the said Treaty, Instructions and Regulations, and of this Act, shall, before he enters on the Duties of his Office, take an Oath before the British Judge as aforesaid, who is hereby empowered to administer the same, in the Form following; (that is to say),

'I *A. B.* do solemnly swear, That I will, according to the 'best of my Skill and Knowledge, act in the Execu- 'tion of my Office; and that I will conduct myself with 'due Respect to the Authority of the Judges and Arbi- 'trators of the Commissio to which I am attached, 'and will act with Fidelity in all the Affairs which may 'belong to my Charge, and without Preference or Fa- 'vour, either for Claimants or Captors, or any other 'Persons. So help me GOD.' 59 Geo. 3. c. 16. § 8.

Oaths may be administered to Parties, &c. by the Court, &c.

It shall be lawful for the said Judges or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons, in the Course of any Proceeding before the said Judges, or before the said Judges and Arbitrator, in the Cases in which such Arbitrator shall act with the said Judges under the said Treaty, Instructions and Regulations, or this Act; and it shall also be lawful for the said Judges, or for the said Judges and Arbitrator, in the Cases aforesaid, to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Proceeding, or Mat-

ter or Thing under their Cognizance, and to send for and issue Precepts for the producing of all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts, by the like Means, Powers, and Authorities as any Court of Vice Admiralty may do. 59 Geo. 3. c. 16. s. 9.

Punishing Persons guilty of Perjury.

Every Person who shall wilfully and corruptly give false Evidence in any Examination, or Deposition, or Affidavit had or taken in any Proceeding before the said Judges, or Judges and Arbitrator, under the said Treaty, Instructions and Regulations, or this Act, shall be deemed guilty of Perjury, and being thereof convicted, shall be liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in England; and in case of any Prosecution for such Offence in His Majesty's said Court of King's Bench, the Venue may be laid in the County of Middlesex. 59 Geo. 3. c. 16. s. 10.

No Claims or Suits for Ships captured, &c. except before mixed Courts appointed by the Treaty.

It shall not be lawful for any Person to commence or proceed in any Claim, Action, or Suit whatever, in the High Court of Admiralty, or in any other Court, or before any Judges or Persons whomsoever, other than the several mixed Courts of Justice appointed by virtue of the said Treaty and this Act, for the Condemnation or Restitution of any Ship, or Cargo, or Slaves, or for any Compensation or Indemnification for any Loss or Damage, or for any Injury sustained by such Ship, Cargo, or Slaves, or by any Persons on board any such Ship, in consequence of any Capture or Detention, under the authority or in pursuance of the Provisions of the said Treaty, or of the Instructions and Regulations thereto annexed, of this Act; and that the Pendency of any Claim, Suit, or Proceeding instituted or which may be instituted before any of the said mixed Courts so to be appointed under the Authority of the said Treaty and this Act, for the Condemnation or Restitution of any Ship, or Cargo, or Slaves, taken or detained by virtue of the said Treaty, or of the Instructions and Regulations thereto annexed, or for any Compensation or Indemnification for any Loss or Damage in consequence of the

Suits before such Courts, or Judgments thereupon, shall be a bar to Proceedings in the Admiralty, &c.

the taking or detaining any such Ship, or the final Adjudication, Condemnation, Judgment, or Determination of any such mixed Court, as the Case shall require, may be pleaded in Bar or given in Evidence under the General Issue; or in case no such Claim, Suit, or Proceeding shall have been instituted before any such mixed Court, then the said Treaty, Instructions and Regulations, and this Act, may in like Manner be pleaded in Bar or given in Evidence under the General Issue; and every such Plea in Bar, or Evidence so given under the General Issue, shall be adjudged to be a good and complete Bar to any such Claim, Action, Suit, or Proceeding in the said High Court of Admiralty, or in any Court or Place other than such mixed Courts. 59 Geo. 3. c. 16. s. 11.

This Act not to affect any of the Penalties in any Act for Suppression of the Slave Trade.

Nothing in this Act shall extend or be deemed in anywise to alter, suspend, relax, or repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained in any Act of Parliament made for the Suppression or Prevention of the Slave Trade; but that all such Acts of Parliament, and all Clauses, Regulations, Penalties, Forfeitures, and Punishments therein respectively contained, shall remain in full Force and Virtue. 59 Geo. 3. c. 16. s. 12.

General Issue may be pleaded.

If any Action or Suit shall be commenced, either in Great Britain or elsewhere, against any Person for any thing done in pursuance of the said Treaty, or the Instructions or Regulations thereto annexed, or of this Act, the Defendant in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Treaty, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

His Majesty may appoint a Registrar of Colonial Slaves to receive Returns of Slaves from His Majesty's Foreign Possessions.

His Majesty may nominate and appoint, by Warrant under the Hand and Seal of One of His Majesty's Principal Secretaries of State, some fit and proper Person as the Registrar of Colonial Slaves, to receive the Copies of all Registries or Returns of Slaves, and of any Abstracts or Indexes referring thereto, which may have been or which may at any Time hereafter be transmitted from any of His Majesty's Foreign Possessions, either in pursuance of any Order in Council, or of any Law or Ordinance duly passed in any of the said Colonies respectively; which said Registrar and his Successors respectively shall continue to hold the said Office during His Majesty's Pleasure. 59 Geo. 3. c. 120. § 1.

Treasury to assign such Registrar a Salary not exceeding 800*l.* per Ann. and fix the Number of Clerks, &c. and allow them Salaries.

The said Commissioners of His Majesty's Treasury, or any Three or more of them, shall assign to the Registrar so appointed such a Salary, not exceeding in the whole the Sum of £800 per Annum, as shall appear to them adequate and proper, and shall fix the Number of such Clerks, Officers, or other Persons, to assist the said Registrar, as may from Time to Time be necessary, and shall allow them also such Salaries as may be proper, and also reasonable Sums for incidental Charges; all which Salaries and Charges shall be defrayed and paid in the same Manner as the Salaries and incidental Charges of the Offices of His Majesty's Principal Secretaries of State are now defrayed and paid. 59 Geo. 3. c. 120. § 2.

Office to be provided, and a Schedule of Fees prepared.

The said Commissioners of His Majesty's Treasury or any Three or more of them shall provide a distinct Office for the said Registrar, and shall appoint the several Fees to be taken by the Registrar or his Assistants in the said Office, and shall cause a Schedule of the same to be delivered to the said Registrar at the time of his Appointment, which said Schedule, or a Copy thereof, shall always be kept and hung for Public Information in the Office of the said Registrar; provided always, that the Fees so received by the Registrar or his Assistants shall be carried to the Public Account, and the Residue thereof, if any, after paying the Salaries of the Registrar and other Persons employed in his Office, shall be applied under the Direction of the Treasury, to the Expences of His Majesty's Civil List. 59 Geo. 3. c. 120. § 3.

Application of Fees.

Registrar to take an Oath before he enters upon Office.

The Person appointed Registrar of Colonial Slaves shall, before he enters on the Execution of his said Office, be

be sworn before the Chief Justice or one of the Justices of His Majesty's Court of King's Bench or Common Pleas, or the Chief Baron or one of the Barons of His Majesty's Court of Exchequer, in the words following:

'I *A. B.* do solemnly promise and swear, that I will, in all respects, faithfully and uprightly perform the Duties of Registrar of Colonial Slaves, to the best of my Judgment and Ability. So help me GOD.' 59 Geo. 3. c. 120. § 4.

Oath.

Any Registrar of Slaves who may be appointed by virtue of this Act shall, during his continuance in such Office, be incapable of being elected or of sitting as a Member of the House of Commons. 59 Geo. 3. c. 120. § 5.

Registrar not eligible to sit in the House of Commons.

As soon as the Office of Registrar of Colonial Slaves shall be opened, Copies and Duplicates of the several Registries and Returns of Slaves in the several Colonies, and all Papers connected therewith, which may have been received by any of His Majesty's Secretaries of State, shall be delivered over to the said Registrar and kept by him in the said Office; and the said Registrar shall from time to time carry on, continue, correct, and enlarge the Copies of the several Registries of Slaves respectively pursuant to the further Returns of Slaves which may be received from the several Colonies, and shall form such Indexes and Abstracts, and such convenient Arrangements in other respects, as may best promote Regularity in keeping the said Books and facilitate Search therein. 59 Geo. 3. c. 120. § 7.

Copies and Duplicates of Registers of Slaves, &c. received by the Secretaries of State to be delivered over to the Registrar.

Every such Registrar or his Clerks or Assistants shall give due Attendance at the said Office every Day in the Week (except Sundays and such Holidays as are kept at the Bank of England), from Ten in the Morning to Four in the Afternoon, for the Dispatch of all Business belonging to the said Office; and every such Registrar, or his Clerks or Assistants, shall, as often as required, make Searches concerning any Slave that shall be registered or supposed to be registered in any of the said Books; and shall also, if required, give Certificates under the Hand of the said Registrar as to the Registration or Non-registration of any such Slave, with Extracts of the Name and Description thereof, and of the Plantation or Plantations, Owner or Owners,

Attendance to be given daily from the Hours of Ten to Four, (except Sundays and Holidays).

Searches to be made and Certificates given.

Owners, to whom the same is or are described to belong, and of any other Particulars relating thereto which may be stated in the said Registry; and that such Registrar shall be entitled to receive for every such Search, Certificate, or Extract, such Sums as shall be duly appointed in the Schedule of Fees to be fixed by the Commissioners of the Treasury as before provided for. 59 Geo. 3. c. 120. § 7.

After Jan. 1, 1820, no Purchase to be made of any Security of Slaves, unless they shall have been registered in the Office of the Registrar.

From and after the 1st January 1820, it shall not be lawful for any of His Majesty's Subjects in the United Kingdom to purchase, or lend or advance any Money, Goods, or Effects upon the Security of any Slave in any of His Majesty's Colonies or Foreign Possessions, unless such Slave shall appear by the Return received therein to have been first duly registered in the said Office of the Registrar of Colonial Slaves; and every Sale, Mortgage and Conveyance or Assurance of, and every Charge or other Security upon any Slave not so appearing to be registered, which at any time after the said 1st January 1820, shall be made or executed within the United Kingdom to or in Trust for any of His Majesty's Subjects, shall be absolutely null and void, in respect to any such unregistered Slave, and for this Purpose no Slave shall be deemed and taken to be duly registered, unless it shall appear that a Return of such Slave duly made by the Owner or other Person in his behalf, in the Manner and Form required by Law in the Colony in which such Slave may reside, or a Copy or Abstract of such Return shall have been received in the Office of the said Registrar from the Colony in which such Slave shall reside, within the Four Years next preceding the Date of such Sale, Mortgage, Conveyance or Assurance, Charge or Security as aforesaid. 59 Geo. 3. c. 120. § 8.

Sale or Mortgage otherwise made shall be void, &c.

No Deed executed for the Conveyance of Slaves that are not registered shall be valid.

From and after the said 1st January 1820, no Deed or Instrument made or executed within the United Kingdom, whereby any Slave in any of the said Colonies shall be intended to be mortgaged, sold, charged, or in any manner transferred or conveyed, or any Estate or Interest therein created or raised, shall be good or valid in Law to pass or convey, charge or affect any such Slave, unless the registered Name and Description of such Slave shall be duly set forth in such Deed or Instrument, or in some Schedule thereupon indorsed or thereto annexed, according to the then latest Registration

tion or corrected Registration of such Slave, in the said Office of the Registrar of Slaves: Provided that no Deed or Instrument shall be avoided or impeached by reason of a clerical Error in setting forth the Names and Descriptions of any Slave therein, or in any Schedule thereto contained, nor shall the same be avoided or impeached by reason of any Disagreement between the Names and Descriptions and Entry thereof in the Books of Registry or Duplicate Registry, which shall have arisen from any Error or Default of the Registrar, his Assistants or Clerks, in extracting and certifying the said Name and Description, without the fraudulent Contrivance or wilful Default of the Parties to such Deed or Instrument: Provided also, that nothing herein contained shall extend or be construed to hinder or prevent the Transfer or Assignment of any Security, Mortgage, or Charge of or upon any Slave, granted, made, created, or executed antecedently to the passing of this Act, nor to avoid any Deed or Instrument whereby such Security, Mortgage, or Charge shall be hereafter transferred, nor to avoid, hinder, or impeach any Will, Codicil, or other Testamentary Paper, or any Probate or Letters of Administration, or any Bill of Sale, Assignment, or Conveyance, or Instrument made by or under the Authority of any Commission of Bankrupt, or any Public Officer appointed to assign or convey any Insolvent's Estate and Effects, or by or under the Authority of any Court of Justice or any Officer thereof, or in the Execution of any legal Process, by reason that the registered Name and Description of any Slave is not set forth in such Deed, Will, Codicil, Testamentary Paper, Probate, Letters of Administration, Bill of Sale, Assignment, Conveyance, or Instrument. 59 Geo. 3. c. 120. § 9.

Misnomers not to invalidate.

Securities executed before the passing of this Act, and certain other Deeds herein mentioned, not to be affected.

The Issue of any Slave named or described in any Deed or Instrument executed in the United Kingdom, or any Schedule thereto, born after the Return required by Law, in the Colony in which such Slave may be resident, who shall afterwards be duly registered in the next Return required by Law in the said Colony, shall be deemed and considered to pass and be conveyed and affected as a registered Slave by such Deed or Instrument, as effectually to all Intents and Purposes as if such Issue

Issue of Slaves named in any Deed to be conveyed thereby if afterwards registered.

Issue were therein named and described. 59 Geo. 3. c. 120. § 10.

When Slaves are sent from one Colony to another, the Owner shall produce at Port of shipping a certified Copy of the Register of their Names and Descriptions, which shall be annexed to the Clearance, for the Inspection of the Officer at the Port of Arrival.

Wherever any Slave shall be sent from any Colony now or hereafter under the Dominion of His Majesty, with Intent that such Slave shall be removed to and remain in some other Colony under the Dominion of His Majesty, the Owner or other Person sending any such Slave shall produce to the Collector or other principal Officer of His Majesty's Customs at the Port at which any such Slave shall be shipped or embarked, a Copy, duly certified by the Registrar of the said Colony, of the Name and Description by which such Slave has been registered, and of all other Particulars relating thereto stated in the said Registry, which Copy so certified shall be by such Collector or other principal Officer indorsed with his own Name and Hand-writing, and shall be annexed to the Clearance or Permit to be given for the Shipment and Exportation of such Slave, and shall, on the Arrival of such Ship or Vessel in which such Slave shall be sent at the Port in any other British Colony to which the same shall be destined, be produced also to the Collector or principal Officer of the Customs at such last-mentioned Port, who shall examine the same, and shall also ascertain by personal Inspection, whether the Slave brought by such Ship or Vessel agrees in Description with the Slave mentioned in such Certificate or Clearance, and if not, shall refuse to admit the same to an Entry, but in case of such Agreement, shall indorse such Certificate with his Name and Hand-writing, and the said Certificate so indorsed shall be forthwith delivered by the Collector to the Registrar of Slaves in such last-mentioned Colony. 59 Geo. 3. c. 120. § 11.

Slaves sent without such Certificate shall be forfeited agreeably to 47 G. 3. c. 36.

If any Slave shall be exported or conveyed from any Colony under the Dominion of His Majesty without such certified Copy from the Registrar of the Colony from which the same shall be so exported or conveyed, such Slave, with the Ship or Vessel in which the same shall be so exported or conveyed, shall be forfeited, and may be seized as forfeited, and prosecuted, condemned, and dealt with, in all respects, as if such Slave had been brought from or destined for any Foreign Country or Place, contrary to the 47 Geo. 3. c. 36.; provided always, that nothing herein contained shall prevent or be

Not to affect the Embarkation of domestic Slaves as now allowed.

construed

construed to prevent the Embarkation or Passage from one British Colony to another, or to any other Colony or Place, in such Manner as is now permitted by Law, of any domestic Slave in actual Attendance on the Person of his or her Master or Mistress, or any Part of the Family of such Master or Mistress, being a Passenger in the same Ship or Vessel, or of any Slave employed as a Mariner on board of any such Ship or Vessel; but in addition to all Clearances and Certificates now required by Law, it shall be necessary in all such Cases, after the 1st Day of Jan. 1820, for the Master or Owner of any such domestic Slave or Mariner, to obtain from the Registry of the Colony to which the same shall belong, an Extract certified by the Registrar thereof, shewing that such domestic Slave, or that such Slave employed as a Mariner, has been duly entered in the Slave Registry of the said Colony by the Name and Description therein specified, which Extract and Certificate shall be always on board the Ship or Vessel in which any such Domestic or Mariner is carried or employed; and unless such Extract and Certificate of Registration shall be found on board, any such Slave so carried or employed after the Time aforesaid shall be forfeited, and may be seized as forfeited, and prosecuted and condemned and dealt with as aforesaid; provided always, that if any domestic Slave, in actual Attendance upon the Person of his or her Master or Mistress or any Part of the Family of such Master or Mistress, shall be brought into or landed in any British Colony, the Extract and Certificate of his or her Registration in the Colony from which he or she may have come shall be forthwith produced to the Collector or principal Officer of the Customs, and a Copy thereof shall be by him delivered to the Registrar of Slaves in the Colony into which he or she may be brought; and if the said domestic Slave shall be again removed from the Colony into which he or she may have been so brought previous to the next Period for making Returns of Slaves therein, the Collector shall, previous to the Embarkation of such domestic Slave, return to the Party requiring it the original Extract and Certificate of Registration delivered into his Office, to be kept on board the Ship or Vessel in which such domestic Slave shall be carried.

But after Jan. 1, 1820, Owners of domestic Slaves, &c. shall obtain Extracts certified by the Registrar of their having been registered, which shall be kept on board, and produced to the proper Officer.

Not to be landed on the Isle of Man;

1. No Rum or other Spirits shall be laden on board any Ship in any British Colony or Plantation in America, but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as prescribed in 12 Car. 2. c. 18. and 25 Car. 2. c. 7. — 5 Geo. 3. c. 39. § 5. 9 Geo. 3. c. 28. *

See Ashes, Pot and Pearl.

nor in Guernsey or Jersey.

2. No Rum the Production of any British Colony or Plantation in America, shall be landed in Guernsey or Jersey. 9 Geo. 3. c. 28.

See Goods, Non-enumerated.

Affidavit to be made by the Shipper or his Agent or Factor of the Colony where produced.

3. Every Person loading any Spirits, as of the Product or Manufacture of any British Colony or Plantation, shall, before the clearing out of the Ship, deliver to the Collector or other principal Officer of the Customs at the loading Port, an Affidavit signed and sworn to before some Justice of the Peace in the said British Colonies or Plantations, either by the Shipper or his known Agent or Factor, expressing in Words at Length the Quality of the Goods, with the Number and Denomination of the Packages, and describing the Name of the Plantation and Colony where the same were produced; which Affidavit shall be attested, under the Hand of the said Justice of the Peace, to have been sworn to in his Presence, who is required to do the same without Fee or Reward; and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant a Certificate under his Hand and Seal of Office (without Fee or Reward) of his having received such Affidavit; which Certificate shall express the Quality of the Goods, with the Number and Denomination of the Packages. 4 Geo. 3. c. 15. § 20.

---

* *By* 56 *Geo.* 3. *c.* 91. *Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo in Guiana, may export from thence to the Netherlands the Produce of their Estates in Dutch Ships, subject to the same Regulations and Restrictions for the due landing of such Produce in the Netherlands, as are provided by any Act now in force for the landing of the like Articles in Great Britain, so far as applicable; and no Persons entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, are allowed to export the Produce of the said Estates to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe.* See "Guiana."

4. The

4. The Collector or other principal Officer of the Customs, to whom such Affidavit shall be delivered, shall (without Fee or Reward) within Thirty Days after the Sailing of the Ship, transmit One exact Copy of the Affidavit to the Secretary's Office for the Colony or Plantation where the Spirits were shipped; and shall also, within the like Space of Thirty Days, transmit another exact Copy, to the Justices and Vestry of the Parishes and Precincts where the Spirits were produced, on Forfeiture of £50 for every Omission or Neglect. 18 Geo. 3. c. 58. § 1.

Copies thereof to be transmitted to the Secretary's Office, and to the Justices and Vestry.

5. In case any Justice of the Peace shall subscribe his Name to any Paper or Parchment, purporting to be an Affidavit for the Purpose directed by 4 Geo. 3. c. 15., unless the Person purporting to make such Affidavit shall actually appear before him, and be sworn to the Truth of the Affidavit, every such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. § 2.

Penalty on Justices subscribing to Affidavits if the Persons do not appear before them.

6. If there shall not be any Justices of the Peace at such Colony or Plantation, before whom such Affidavit can be made, the Planter or Grower shall make the same before the Collector and Comptroller or other Chief Officer of the Customs, or any Two of them, at the Port or Place from whence the Spirits may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall aiso certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. § 2.

If there are no Justices, the Affidavit to be made before the Chief Officer.

7. Rum, the Produce of any British Island, brought into any of the Free Ports in British-built Ships, owned, navigated, and registered according to Law, may be exported from thence to any of the Colonies or Plantations in America belonging to or under the Dominion of any Foreign European Sovereign or State, in any Foreign Ship owned and navigated by any Persons inhabiting any such Colony, Plantation, or Country. 45 Geo. 3. c. 57. § 8.

Rum may be exported from the Free Ports in Foreign Ships.

See Free Ports.

8. Rum, the Produce of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to Malta, or the Dependencies thereof, or to Gibraltar, in such Ships, and under such Licences,

May be exported from Malta or Gibraltar.

Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

Brandy may be exported from Malta or Gibraltar.

9. Brandy may be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

Rum may be exported from Bermuda to the United States.

10. Rum, the Produce of any British Plantation in the West Indies, legally imported into Bermuda in any British Ship, may be exported from Saint George or Hamilton to any of the Territories of the United States, in the Description of Ships and under the Regulations provided in the Acts 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50.—57 Geo. 3. c. 28. § 1.

See BERMUDA.

Spirits not to be imported from Foreign Colonies.

11. No Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, shall be imported into any of the Colonies or Plantations in America in the Possession or under the Dominion of His Majesty, upon Forfeiture of such Spirits and the Ship. 4 Geo. 3. c. 15. § 18.

Duty payable upon Spirits imported into Quebec.

12. There shall be paid to His Majesty, upon all Spirits hereafter mentioned, which shall be imported into Quebec, above all other Duties payable in the said Province, the Duties following; that is to say,

For every Gallon of Brandy or other Spirits of the Manufacture of Great Britain, Three-pence:

For every Gallon of Rum or other Spirits which shall be imported from any of His Majesty's Sugar Colonies in the West Indies, Sixpence:

For every Gallon of Rum or other Spirits which shall be imported from any other of His Majesty's Colonies or Dominions in America, Nine-pence:

For every Gallon of Foreign Brandy or other Spirits of Foreign Manufacture imported from Great Britain, One Shilling:

For

For every Gallon of Rum or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, imported from any other Place except Great Britain, One Shilling. 14 Geo. 3. c. 88. § 1.

Collection and Appropriation.

13. The said Duties shall be deemed Sterling Money of Great Britain, and be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and may be received and taken according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver; and the Duties shall be raised and recovered in the same Manner, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures (except where any Alteration is made by this Act), as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America may be raised and recovered; and the Monies that shall arise by the said Duties (except the necessary Charges of raising, recovering, and accounting for the same) shall be paid by the Collector of the Customs into the Hands of His Majesty's Receiver General in the said Province, and shall be applied in the first Place towards defraying the Expences of the Administration of Justice, and of the Support of the Civil Government in the said Province; and the Commissioners of the Treasury, or any Three of them, shall by any Warrant under their Hands cause such Money to be applied out of the Produce of the Duties towards defraying the said Expences, and the Residue shall be reserved in the Hands of the Receiver General for the future Disposition of Parliament. 14 Geo. 3. c. 88. § 2.

Brought into Quebec by Inland Navigation or Land Carriage must pass through certain Places, where Duties are to be paid.

14. If any Spirits chargeable with Duties by this Act shall be brought into Quebec by Land Carriage, the same shall pass and be carried through the Port of Saint John's near the River Sorrel; or if by any Inland Navigation other than upon the River Saint Lawrence, the same shall pass and be carried upon the said River Sorrel by the said Port, and there entered, and the Duties paid to such Officer of His Majesty's Customs as shall be there appointed; and if any such Spirits, coming by Land Carriage or Inland Navigation, shall pass by or beyond the said Place without Entry and Payment of the Duties, or shall be brought into any Part of the Province by or through any other Place, such Spirits shall be forfeited, and the Persons assisting in the Removal, or to whose

Hands the same shall come, knowing that they were removed contrary to this Act, shall forfeit Treble the Value, with the Cattle and Carriages made use of in the Removal, and shall be seized by any Officer of the Customs. 14 Geo. 3. c. 88. § 3.

His Majesty's Subjects may bring Spirits into any Parts of the Province.

15. His Majesty's Subjects may freely bring, by Land Carriage or Inland Navigation, into any Parts of the Province of Quebec not heretofore comprehended within the Limits thereof by His Majesty's Proclamation of 7th October 1763, any Quantity of Spirits, notwithstanding 14 Geo. 3. c. 88.—15 Geo. 3. c. 40. § 1.

Ships which have landed Lumber in the Sugar Colonies may load Spirits at Quebec Duty-free;

16. In Cases where Spirits of the British Sugar Colonies in the West Indies shall be legally imported into Quebec from the said Colonies, in any Ship which in her last preceding Voyage shall have carried to and landed in any of the said Colonies a Cargo of Lumber and Provisions, Horses or Neat Cattle, from the said Province, it shall be lawful to land any Quantity of such Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle), without Payment of the Duty of 6d. per Gallon. 28 Geo. 3. c. 39. § 1.

or Ships which intend to load a Cargo of Lumber for the said Colonies in their next clearing out, may land Spirits Duty-free.

17. In Cases where Spirits, the Produce or Manufacture of any of the said Colonies, shall be legally imported into Quebec from any of the said Sugar Colonies, in any Ship which, in her next clearing out from the said Province after such Importation, shall intend to load with Lumber or Provisions, Horses or Neat Cattle, and carry to and land the same in some of the said Colonies, it shall be lawful to land any Quantity of such Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle), without Payment of the Duty of 6d. per Gallon; provided the Owner of such Ship, or in case of his not residing in the Province, the Master, with one or more sufficient Sureties residing within the said Province, shall, before such Spirits be admitted to an Entry, give Bond to His Majesty, His Heirs and Successors, to be taken by Two principal Officers of the Customs, in £500, with Condition that the Ship shall, in her next clearing out from the Province, be laden with a Cargo of Lumber or Provisions, Horses or Neat Cattle, equal in Value to the Spirits admitted to Entry without Payment of the Duty; and that the Lumber or Provisions, Horses or Neat Cattle, shall be carried to and landed in some of the said Colonies in the West Indies. 28 Geo. 3. c. 39. § 2.

18. The

18. The Lumber (except White Oak Staves), Provisions, Horses, and Cattle, exported under the Condition of the said Act, shall be the Growth or Produce of Quebec, and no other. 30 Geo. 3. c. 8. § 2.

The Articles (except Staves) must be the Growth of Quebec.

19. The Value of the Spirits, and the Value of the Cargo of Lumber or Provisions, Horses or Neat Cattle, shall be estimated according to the Valuations contained in the following Schedule: But His Majesty, with the Advice of His Privy Council, by Order to be issued and published, may alter the Valuations and Articles contained in the Schedule, whenever it shall appear necessary, upon any Representation made by the Governor and Council of the Province. 58 Geo. 3. c. 37. § 1, 2.

The Value of the Spirits and Lumber to be estimated by the following Schedule.

SCHEDULE.

	Sterling. £	s.	d.	
Flour, 1st Sort	2	—	—	per Barrel of 1 cwt. 3 qrs.
Ditto, 2d Sort	1	17	6	Ditto.
Biscuit	1	—	—	per Cwt.
Wheat	—	5	—	per Bushel.
Peas	—	4	6	
Oats	—	2	—	
Barley	—	3	—	
Flax Seed	—	5	—	
Potatoes	—	1	8	
Indian Corn	—	4	6	
Salted Beef	4	10	—	per Tierce.
Ditto	3	—	—	per Barrel.
Salted Pork	6	15	—	per Tierce.
Ditto	4	10	—	per Barrel.
Butter	—	—	10	per lb.
Soap	—	—	7	per lb.
Mould Candles	—	1	2	per lb.
Dipped Ditto	—	1	1	
Salmon	2	10	—	per Barrel.
Ditto	3	15	—	per Tierce.
Herrings and Allwives	1	—	—	per Barrel.
Shad Fish	1	5	—	per Ditto.
Dry Cod Fish	—	16	—	per Cwt.

Spirits.

	Sterling. £	s.	d.	
Seal, Porpoise, and Cod Oil	7	—	—	per Hhd. of 63 Galls.
Canadian Porter	3	—	—	per Ditto.
Ditto Burton Ale	3	15	—	per Ditto.
Ditto Mild Ditto	3	—	—	per Ditto.
Onions	1	—	—	per Thousand.
Essence of Spruce	—	1	3	per lb.
Oak Timber Squared	—	1	—	per Cubic Foot.
Ditto Plank, 3 to 4 Inches thick	—	—	5	per Superficial Foot.
Ditto, 1½ to 2 Inches thick	—	—	3	per Ditto.
Puncheon Staves 3½ Feet long, 4 Inches broad, and 1 Inch thick	10	—	—	per 1200 Pieces.
Puncheon Heading, 2½ Feet long, 5 to 6 Inches broad, and 1 Inch thick	10	—	—	per 1000.
Pine Timber Squared	—	—	4	per Cubic Foot.
Pine Boards, 12 Feet long and upwards, and 1 Inch thick	2	15	—	per Thousand Superficial Feet.
Ditto, 10 Feet long and 1 Inch thick	2	5	—	per Hundred Boards.
Ditto, Ditto, 2 Inches thick	3	7	6	Ditto.
Wooden Hoops, 12 Feet long	5	—	—	per Thousand Hoops.
Ditto, 14 Ditto	5	10	—	Ditto.
Ditto, 10 Ditto	4	—	—	Ditto.
Ditto, 7 Ditto	2	10	—	Ditto.
Shingles	—	15	—	per Thousand.
Puncheon Backs	—	12	—	each.

Bar

	Sterling. £	s.	d.	
Bar Iron - -	1	10	—	per Cwt.
Horses - -	15	—	—	per Head.
Horned Cattle -	8	—	—	per Head.
Sheep - -	—	15	—	per Head.
Turkeys - -	—	2	6	per Head.
Windward and Leeward Island Rum - -	—	1	9	per Gallon.
Jamaica Ditto - -	—	2	—	Ditto.

May be exported from Bermuda to Lower Canada upon the same Duty and Conditions as if imported from Sugar Colonies;

20. The Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally imported into Bermuda, may be imported into Lower Canada, and landed and admitted to an Entry upon Payment of the same Duty as if the same had been imported directly from any of His Majesty's Sugar Colonies in the West Indies; and under the Conditions and Regulations of 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from any of the Sugar Colonies. 49 Geo. 3. c. 16. § 1.

also from the North American Colonies to Lower Canada.

21. The Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies legally imported into Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland in North America, from the said Sugar Colonies or from Bermuda, may be exported from any or either of the said Provinces or Islands to Lower Canada, and admitted to an Entry upon the Payment of the same Duty as if imported directly from any of His Majesty's Sugar Colonies. 51 Geo. 3. c. 48. § 1.

Regulation upon the Shipping of Spirits at the North American Colonies to be exported to Lower Canada.

22. Every Person loading on board any Ship in Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, or Newfoundland, any Spirits as of the Produce or Manufacture of any of His Majesty's Sugar Colonies, in order to be exported from thence to Lower Canada, shall before the clearing out of the Ship deliver to the Collector or other principal Officer of the Customs at the loading Port, his Affidavit or that of his Agent or Factor, signed and sworn to before some Justice of the Peace in the Province or Island where the same shall be shipped, expressing in Words at Length the Number and Content or Contents of the Casks or other Packages

containing the Spirits, also from what Colony or Plantation the same were imported, by whom, and the Time when such Importation took place, which Affidavit shall be attested by the Hand of the said Justice of the Peace to have been sworn to in his Presence, who is required to do the same without Fee or Reward; and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant to the Master of the Ship a Certificate, under his Hand and Seal of Office, (without Fee or Reward) of his having received such Affidavit pursuant to the Directions of this Act, and that it thereby appeared that such Spirits were legally imported into the said Province or Island, as of the Produce or Manufacture of His Majesty's Sugar Colonies; and such Certificate shall express the Number and Content or Contents of the Casks or other Package containing the Spirits so shipped. 51 Geo. 3. c. 48. § 2.

Oath to be made upon the Ship's Arrival, as to the Identity of the Spirits.

23. Upon the Arrival of such Ship at the Port of Discharge in Lower Canada, the Master shall, at the Time of making the Report of his Cargo, deliver the said Certificate to the Collector or other principal Officer of the Customs of such Port, and make Oath before him (which Oath he is required to administer), that the Spirits so reported are the same that are mentioned in the Certificate; and if any Spirits shall be imported or found on board any Ship for which no such Certificate shall be produced, or which shall not agree therewith, the same shall be deemed to be Foreign Spirits, and subject to the same Duties, Restrictions, Regulations, Penalties, and Forfeitures, as Spirits of any Foreign Colony or Plantation are subject to by Law. 51 Geo. 3. c. 48 § 3.

May be exported from Bermuda into North American Colonies on the same Duty as from Sugar Colonies;

24. The Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Bermuda from the said Sugar Colonies, may be exported from Bermuda into Nova Scotia and New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland, and landed and admitted to an Entry, upon Payment of the same Duty as if imported directly from any of the said Sugar Colonies in the West Indies. 51 Geo. 3. c. 62. § 1.

and without Payment of Duty on certain Conditions.

25. Exported as before mentioned from Bermuda, may, under the Conditions and Restrictions of 28 Geo. 3. c. 39. be imported into the said Provinces and Islands,

 without

without Payment of Duty, in the same Manner as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 62. § 2.

Regulations upon the shipping of Spirits at Bermuda, to be exported to the North American Colonies.

26. Every Person loading on board any Ship in Bermuda any Spirits as of the Produce or Manufacture of His Majesty's Sugar Colonies, legally imported into that Island, shall before the clearing out of the Ship deliver to the Collector or other principal Officer of the Customs at the loading Port, his Affidavit, or that of his Agent or Factor, signed and sworn to before some Justice of the Peace in Bermuda, expressing in Words at Length the Number and Content or Contents of the Cask or other Packages containing the Spirits, from what Colony or Plantation the same were imported, by whom, and the Time when such Importation took place (which Affidavit shall be attested by the Hand of the said Justice of the Peace to have been sworn to in his Presence, who is required to do the same without Fee or Reward); and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant to the Master of the Ship in which the same shall be laden a Certificate under his Hand and Seal of Office (without Fee or Reward) of his having received such Affidavit pursuant to this Act, and that it thereby appeared such Spirits were legally imported into the Island, as of the Produce or Manufacture of His Majesty's Sugar Colonies; and such Certificate shall also express the Number and Content or Contents of the Cask or other Packages containing the Spirits so shipped. 51 Geo. 3. c. 62. § 3.

Oath to be made, upon the Ship's Arrival, as to the Identity of the Spirits.

27. Upon the Arrival of any Ship at the Port of her Discharge in any of the said Provinces or Islands, the Master shall at the Time of making the Report of his Cargo deliver the said Certificate to the Collector or other principal Officer of the Customs of such Port, and make Oath before him, (which he is required to administer), that the Spirits so reported are the same that are mentioned in the Certificate; and if any Spirits shall be imported or found on board, for which no Certificate shall be produced, or which shall not agree therewith, the same shall be deemed Foreign Spirits, and be subject to the same Duties, Restrictions, Regulations, Penalties, and Forfeitures, as Spirits of the Produce or Manufacture of any Foreign Colony or Plantation would be subject to by Law. 51 Geo. 3. c. 62. § 4.

28. There

Spirits.

Duty upon Rum imported into Newfoundland from British Colonies in the West Indies.

28. There shall be paid upon every Gallon of Rum or other Spirits imported into Newfoundland from any British Colony or Plantation in the West Indies, a Duty of Sixpence; and upon every Gallon of Rum or other Spirits imported into the Island from any of His Majesty's Colonies or Plantations on the Continent of America, or from Great Britain or Ireland, a Duty of One Shilling and Sixpence Sterling Money of Great Britain; and the same shall be collected to the Amount of the Value which such nominal Sum bears in Great Britain, and may be received and taken according to the Proportion and Value of 5s. 6d. the Ounce in Silver; and the said Duty shall be raised, levied, collected, paid, and recovered in the same Manner, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America are raised, levied, collected, paid, and recovered by any Act of Parliament, as fully as if the said Rules, &c. were again enacted in this Act, and all the Monies that shall arise by the said Duties (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same), shall be paid into the Exchequer and applied to the same Uses as other Duties of Customs. 52 Geo. 3. c. 106. § 1. 15 Geo. 3. c. 31. § 20. 39 & 40 Geo. 3. c. 67. Art. 6.

Duty on the Importation from Colonies in Guiana.

29. There shall be paid upon every Gallon of Rum imported into Newfoundland from Berbice, Demerara, and Essequibo, in the Province of Guiana, a Duty of Sixpence and no more; such Duty to be sued for, recovered, and applied in the like Manner and under the like Penalties and Forfeitures as are provided by 52 Geo. 3. c. 106. with respect to Rum imported from any British Colony or Plantation in the West Indies. 56 Geo. 3. c. 91. § 2.

Sponges and Stone, viz. Malta Stone for Building,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built

Ships,

Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.
See GIBRALTAR.
MALTA.

Sufferance. See "Bills of Sight."

Sugar.

1. No Sugar of the Production or Manufacture of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Not to be exported, unless to some other British Plantation, or to Great Britain or Ireland.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with one Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail to the Value of £1000 if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Sugar, or any enumerated Article (for the whole of which See "Goods") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, (the Danger of the Seas only excepted); and for every Ship coming from any other Port or Place to any of the aforesaid Plantations which are permitted to trade there, the Governor shall before the Ship be permitted to load any Sugar (or any enumerated Article), take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bond to be given not to land elsewhere.

3. The Master, before he departs from any British Plantation where he receives his Lading, shall take a Certificate under the Hand and Seal of the Collector, or other Principal Officer of the Customs there, that Bond hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage is

Certificates to be taken by the Masters of Ships loading in the Colonies.

is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of £100. 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Forfeiture if shipped before Bond given, or if taken to other Places;

4. If any Ship shall take on board any Sugar (or other enumerated Article) before Bond is given to the Governor, that the Ship shall carry the same to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland, that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on Shore, every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

but not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

See GUIANA.

Governors or Officers suspecting Certificate to be false, not to cancel Bonds; and Penalty on falsifying Certificates.

6. In cases where the Governor or Officers in any of the Plantations shall have reasonable Ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be cause to suspect, that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officer shall not cancel the Security given in the Plantation until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said

said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Penalty on Officers suffering Goods to be carried to other Places.

7. If any Officer of the Customs in Great Britain or Ireland shall give any Warrant for, or suffer any Sugar (or any enumerated Article) to be carried into any other Country or Place until first put on Shore in some Port in Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

8. The Governors or their Commanders in Chief of the said Plantations are, Once a Year at least, to return to the Officers of the Customs in London, or to such other Person as His Majesty shall appoint to receive the same, a List of all Ships as shall have laden any Sugar (or any enumerated Article) in such Plantation, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Condition of the Bond, and who are to be the Obligors, when taken in the Plantations.

9. In all Bonds to be taken in the Plantations the Persons therein named shall be of known Residence and Ability there, for the Value mentioned in the Bond, the Condition of which shall be, within Eighteen Months after the Date thereof (the Danger of the Seas excepted), to produce a Certificate of having landed and discharged the Goods therein mentioned in One of His Majesty's Plantations, or in Great Britain or Ireland; otherwise such Bond, or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

When taken in Great Britain or Ireland.

10. In all Bonds which shall be entered into in Great Britain or Ireland in pursuance of any Act whereby the Goods

Goods therein enumerated are to be brought to Great Britain or Ireland, such Bond shall be with Condition that within Eighteen Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Bonds void if not prosecuted within Three Years of the Date, or if Judgment not obtained within Two Years after Prosecution.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced and Judgment to be obtained within the Times limited) shall be void; and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

Proof on Oath to be made before the Loading, of the Plantation where the same was produced.

12. Every Person loading any Sugars or Paneles as of the Product or Manufacture of any British Colony or Plantation, shall, before clearing out of the Ship, deliver to the Collector or other principal Officer of the Customs at the loading Port, an Affidavit signed and sworn to before some Justice of the Peace in the said British Colonies or Plantations, either by the Grower, Maker, or Shipper, or his known Agent or Factor, expressing in Words at Length the Quality of the Goods so shipped, with the Number and Denomination of the Packages, and describing the Name of the Plantation and the Name of the Colony where the same grew or were produced and manufactured; which Affidavit shall be attested under the Hand of the said Justice of the Peace to have been sworn to in his Presence (who is required to do the same without Fee or Reward); and the Collector or other principal Officer of the Customs, to whom such Affidavit shall be delivered, shall thereupon grant to the Master a Certificate under his Hand and Seal of Office (without Fee or Reward) of his having received such Affidavit; which Certificate shall express the Quality of the Goods shipped, with the Number and Denomination of the Packages. 4 Geo. 3. c. 15. § 20.

13. The

A Copy of the Affidavit to be transmitted to the Secretary's Office, and to the Justices and Vestry.

13. The Collector or other principal Officer of the Customs, to whom such Affidavit shall be delivered, shall (without Fee or Reward) within Thirty Days after the Sailing of the Ship transmit One Copy of the Affidavit to the Secretary's Office for the Colony or Plantation where the Sugar or Paneles referred to in the said Affidavit were shipped, and shall also within 30 Days transmit another Copy to the Justices and Vestry of the Parish or Precinct where the said Sugar or Paneles grew or were produced and manufactured, under the Penalty of £50 for every Omission and Neglect. 18 Geo. 3. c. 58. § 1.

Penalty on Justices subscribing Affidavits where the Party does not appear.

14. In case any Justice of the Peace of the said Colonies or Plantation shall subscribe his Name to any Paper or Parchment Writing, purporting to be an Affidavit for the Purpose directed by 4 Geo. 3. c. 15. unless the Person purporting to make such Affidavit shall actually appear before him, and be sworn upon the Holy Evangelists to the Truth of the said Affidavit, then such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. § 2.

If no Justices, the Affidavit may be made before the Chief Officer of the Customs.

15. If there shall not be any Justices of the Peace at such Colony or Plantation before whom such Affidavit can be made, the Planter or Grower shall make the same before the Collector and Comptroller, or other Chief Officer of the Customs, or any Two of them, at the Port from whence any such Sugar or Paneles may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. § 2.

May be exported to the United States in British Ships.

16. May be exported from the West India Islands to any of the Territories belonging to the United States, British Subjects and in British-built Ships, owned a. navigated according to Law. 28 Geo. 3. c. 6. § 3.

May be exported from Bermuda to the United States in Foreign Ships.

17. The Produce of any British Colony in the West Indies, imported into Bermuda in any British Ship, may be exported from Saint George or Hamilton in Bermuda, to any Part of the Territories of the United States of America, in any Foreign Ship, belonging to any Country in Amity with His Majesty, above the Burthen of Sixty Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50.

18. Where,

If Bond required on Exportation to a British Colony, similar Bond to be given on Exportation to United States.

18. Where, on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods*, a similar Bond shall be required on the Exportation thereof to the United States, and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul; or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate, by the Master of the Vessel, that the Goods were there duly landed. 28 Geo. 3. c. 6. § 4.

May be exported from Sugar Colonies to Ports in Europe South of Cape Finisterre.

19. British Subjects may ship in any of His Majesty's Sugar Colonies or Plantations, any Sugar the Growth and Produce of any such Colony or Plantation, and may export the same direct to any Port in Europe to the Southward of Cape Finisterre; and import into the said Colonies or Plantations Corn or Grain direct from any such Ports in Europe, or from any Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, in such Ships and under such Licences, Securities, Regulations, Penalties and Forfeitures, as are herein-after limited. 52 Geo. 3. c. 98. § 1.

Upon Licence and Bond, and certain Regulations being complied with.

20. No Sugar shall be so laden in any of the said Colonies or Plantations except in British-built Ships, owned, navigated, and registered according to Law, nor unless a Licence shall have been first taken out for that Purpose under the Hands and Seals of the Collector and Comptroller of the Port at which such Sugar is intended to be shipped, subject to the Regulations herein-after mentioned, (that is to say), Notice shall be given in Writing by the Master, or by One or more Owners of the Ship, to the Collector and Comptroller of the Port, of their Intention, that such Ship, when laden, shall proceed direct to some Port in Europe to the Southward of Cape Finisterre, and export from thence or from

* *A Bond is so required on the Exportation of Sugar from one British Colony to another.*

some

some Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, Corn or Grain to be carried directly to the Colony or Plantation from which such Ship shall have sailed; and the Exporters shall then make Oath before the Collector and Comptroller of the Port, that it is their full Intention and Resolution to load Sugar for Exportation direct to some Port in Europe to the Southward of Cape Finisterre, and to no other Place; and the Master or Owners of the Ship, together with the Exporter, shall thereupon enter into Bond to the Use of His Majesty, in Treble the Value of the Goods, with the Condition that in case a Licence shall be granted, such Ship shall proceed direct to some legal Port of Destination, specifying the same, and that no Goods except Sugar shall be taken on board unless for necessary Use during the Voyage, and that, before the Expiration of Two Years from the Date of such Licence, the same shall be delivered up to the Collector or Comptroller of the Customs of the Port where the Sugar was shipped, together with a Certificate, signed and sealed by the Consul, or Two known British Merchants of good Credit, at the Port where such Sugar was landed, certifying the Landing thereof, with the Number of Casks and other Packages so landed, and the Mark, Number, and Contents of each, with the Name of the Ship and Master, and that he or they verily believed no other Goods than Sugar have been there landed. 52 Geo. 3. c. 98. § 2.

Of a Foreign Colony taken on board in the Sugar Colonies or on the Voyage from thence.

21. In case any licensed Ship shall take on board in any of the said Sugar Colonies or Plantations, or in her Voyage from thence, any Sugar being the Produce of any Foreign Colony or Plantation, such Sugar shall be forfeited, with Double the Value thereof, and the Master and Shipper thereof shall forfeit Double the Value; to be recovered in any Court of Vice Admiralty in America, or in any Court of Record there, at the Election of the Prosecutor; One Third Part to be for the Use of His Majesty, One Third to the Governor of the Colony, and the other One Third to the Prosecutor. 52 Geo. 3. c. 98. § 3.

Regulations to be observed before lading Sugar for Ports in Europe South of Cape Finisterre.

22. Before any Sugar shall be laden for any Port in Europe to the Southward of Cape Finisterre, the Exporter shall make an Entry thereof in Writing with the Collector and Comptroller of Customs, expressing the Name of the Ship, and the Master, and where she lies, and the Place, Quay, or Wharf where the Goods are to

be laden or first waterborne, which shall be within such Port only where a Custom House is established; and an Officer shall be appointed to attend the shipping at such Places as shall be mentioned in a Sufferance from the Collector and Comptroller; and the Exporter shall thereon take out from the Collector and Comptroller a Cocket or Warrant, whereon shall be endorsed by the Exporter the Marks, Numbers, and Contents, or Denominations of such Sugar, and deliver the Cocket or Warrant so endorsed to the Officer appointed for the examining and shipping thereof, and shall ship the same in the Presence of such Officers, or at such Places as shall be mentioned in the Sufferance or Warrant, and such Officers shall examine the same before put on board; and if before or after the shipping, the Number of Casks or Packages shall be greater than endorsed, or if there shall be found any other Sugar than shall be so endorsed, or any other Goods than Sugar shall be discovered on board, or brought to be shipped or put into any Vessel for that Purpose before Entry, or taking out such Cocket or Warrant, endorsing and delivering of the same, and not being shipped in the Manner aforesaid, but shall be put on board or attempted to be put on board contrary to this Act, such Sugar shall be forfeited, with the Vessel or Carriage employed, as also the Ship on which such Goods shall be laden, and the Owner shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty, or in any other Court of Record in any of His Majesty's Plantations in America, at the Election of the Prosecutor; One Third to the Use of His Majesty, One Third to the Governor, and the other One Third to the Prosecutor; and before such Ship shall depart, the Master shall receive the Licence from the Collector or Comptroller, with a Certificate endorsed thereon or affixed thereto, under their Hands and Seals of Office, who are to make Two Copies of such Licence, Endorsements, or Certificates, for which no more shall be taken than the legal and accustomed Fees; and the Master shall, before he receives the Licence, attest the Copies which are to be left with the Collector and Comptroller, who are to transmit One of the Copies of the Endorsements or Certificates to the Commissioners of the Customs in England, and record in a Book the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted, and the Clearance; but in case any Goods not allowed

allowed by this Act shall be found on board, or carried by any such Ship to any Foreign Parts, then the Liberty granted by such Licence shall become void, and the Master and all others concerned shall be liable to the same Penalties and Forfeitures as they would have been liable to in case this Act had not been made. 52 Geo. 3. c. 98. § 4.

How Bond may be discharged.

23 Upon such Licence being returned to the Collector and Comptroller of the Customs of the Port where the Sugar was shipped, and an Account of the Loading being endorsed thereon or annexed the[reto]; and upon such Certificate of the Consul, or Two [known] British Merchants of good Credit being produced, and the other Matters required being duly complied with, within Two Years from the Date of such Licence, the Bond shall be discharged and delivered up, otherwise shall be forfeited, and be prosecuted as before directed. 52 Geo. 3. c. 98. § 5.

Vessels exporting Sugar may load Corn or Grain of Europe at Ports in Africa.

24. Upon the Master or Owner of such Ship conforming to the Conditions of the Licence and Bond, and obtaining a Certificate from the Consul, or Two known British Merchants as aforesaid, such Ship may load in the Port of Delivery, or at any Port or Place on the Coast of Africa to the Northward of the Latitude of 30 Degrees North, any Corn or Grain the Produce of Europe or Africa, for Exportation direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 6.

How Penalties and Forfeitures to be recovered.

25. Penalties and Forfeitures incurred by this Act (except where it is otherwise provided) shall be prosecuted in any of His Majesty's Courts of Record at Westminster, or Dublin, or the Court of Exchequer in Scotland; one Moiety whereof to His Majesty, and the other to the Prosecutor. 52 Geo. 3. c. 98. § 7.

General Issue may be pleaded, and Treble Costs allowed.

26. If any Person shall be sued for any thing done in pursuance of this Act, he may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear the Prosecution, or discontinue the Action, or if a Verdict shall pass against him, the Defendant shall have Treble Costs, and the like Remedy for recovering the same as in Cases where Costs are by Law given to Defendants. 52 Geo. 3. c. 98. § 8.

Granting false Certificates or counterfeiting Documents.

27. If any Person shall grant a false Certificate, or counterfeit, erase, or alter any Licence, Oath, or Certificate, which shall be made pursuant to this Act, or shall know-

knowingly publish or make use thereof, such Person shall forfeit £ 500; to be recovered and disposed of in the Manner before directed, and the Licence, Oath, or Certificate so falsified, counterfeited, erased, or altered, shall be of no Effect. 52 Geo. 3. c. 98. § 9.

May be exported to Malta or Gibraltar.

28. The Produce of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to Malta or the Dependencies thereof, or to Gibraltar, in such Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are mentioned in these Acts. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

The Produce of the Estates of Dutch Proprietors in Guiana, may be exported to the Netherlands.

29. Any Subject of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, may export from the said Colonies to the Netherlands the Produce of their Estates in Dutch Ships, subject to the same Rules, Regulations, and Restrictions for the due landing of any such Produce in the Netherlands, as are provided by any Act for the landing of the like Articles in Great Britain, so far as the same are applicable; but it shall not be lawful for any Persons who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, to export the Produce of the said Estates to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4, 5, 6, 7, 8.

Duty upon the Importation of Foreign Sugar.

30. There shall be paid to His Majesty, upon Sugar the Growth, Produce, or Manufacture of any Colony or Plantation in America not under the Dominion of His Majesty, which shall be imported into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For all Sugars and Paneles of such Foreign Growth, &c. a Duty after the Rate of 5*s.* for every Cwt. Avoirdupois:

For White or Clayed Sugar of such Foreign Growth, &c. a Duty after the Rate of £1. 2*s.* for every Cwt. Avoirdupois. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 1.

Collection and Appropriation.

31. The Duties shall be deemed Sterling Money of Great Britain, and shall be collected, recovered, and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received according to

to the Proportion and Value of 5s. 6d. the Ounce in Silver, and (except the necessary Charges of collecting, recovering, paying, and accounting for the same) shall be paid into the Exchequer, and be entered separate from other Monies, and be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 11.

To be entered and Duty paid in ready Money.

32. Upon the Importation of such Sugar into any of the said Colonies or Plantations, an Entry shall be made with the Collector or other proper Officer of the Customs, in the Port where the same shall be imported, and the Duties shall be paid in ready Money before the landing. 6 Geo. 2. c. 13. § 2. 4 Geo. 3. c. 15. § 1.

Landed before Entry, may be seized by the Governor, &c.

33. In case the Sugar shall be landed before due Entry be made, and before the Duties shall be duly paid, or without a Warrant for the landing and delivering the same first signed by the proper Officer of the Customs, such Sugar or the Value of the same shall be forfeited, and may be seized by the Governor or Commander in Chief of the Colony or Plantation where landed, or any Person by him authorized in that behalf, or by Warrant of any Justice of the Peace or other Magistrate (which Warrant such Justice or Magistrate is required to give upon Request), or by any Custom-house, Impost, or Excise Officer, or any Person accompanying, aiding, and assisting him; One Third of such Penalty and Forfeiture to His Majesty, to be applied for the Support of the Governor of the Colony or Plantation where the same shall be received; One Third to the Governor or Commander in Chief; and the other Third to the Informant or Prosecutor. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.

Resisting Officers.

34. If any Person shall hinder or resist any Custom-house Officer or any of his Assistants in the due Execution of his Duty in seizing any such Sugar, he shall forfeit £50, and be liable to be prosecuted for the same by Indictment or otherwise, and being thereof found guilty shall be imprisoned for Three Months without Bail or Mainprize; and if any Officer of the Customs or his Assistant shall be sued or prosecuted for any thing done in the Execution of his Duty, he may plead the General Issue, and give this Act and the Special Matter in Evidence, and the Judges shall allow thereof; and

Officers sued may plead General Issues, and Treble Costs allowed.

any Officer of the Customs in any of His Majesty's Plantations or Colonies in America, who shall knowingly connive at the fraudulent Importation or Landing of any Sugar contrary to this Act, or if such Officer shall seize the same, and shall by Fraud or Collusion desist from or delay the Prosecution thereof to Condemnation, he shall forfeit £50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.

Penalty on Masters taking in Sugar contrary to this Act.

35. If any of His Majesty's Subjects, being Master of any Ship, shall take in or suffer to be taken in at Sea, or in any Creek or Harbour or other Place, any Sugar in order to be brought on Shore and landed in any of His Majesty's Plantations in America contrary to this Act, such Master shall forfeit £100. 6 Geo. 2. c. 13. § 7, 8. 4 Geo. 3. c. 15. § 1.

Proof to lie upon the Claimer.

36. Upon all Suits and Prosecutions for the bringing on Shore and landing of any Sugar in any of His Majesty's Colonies or Plantations in America contrary to these Acts, the Onus Probandi that the same were the Produce or Manufacture of His Majesty's Colonies or Plantations there, or were duly entered and had paid the Duties thereon before the Landing, shall lie on the Claimer thereof. 6 Geo. 2. c. 13. § 8. 4 Geo. 3. c. 15. § 1.

No Duty to be paid if Sugar warehoused for Exportation.

37. No Duty shall be paid for any Foreign Sugar which shall be imported into any British Colony or Plantation on the Continent of America, if the Sugar upon landing is immediately deposited and secured in Warehouses at the sole Expence of the Importer, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller or other principal Officer of the Customs, and such Sugar shall be secured under the separate Locks of such Officers and the Proprietor, and within 12 Calendar Months from the landing and warehousing shall be shipped for Exportation directly to Great Britain or Ireland, or to some Part of Europe to the Southward of Cape Finisterre, under the like Securities, Regulations and Restrictions, Penalties and Forfeitures, as British Sugars may be so carried and exported from any British Colony or Plantation in America. 6 Geo. 3. c. 52. § 16.

If not exported, or the Duty paid, the Sugar may be sold.

38. If the Importer of any Sugar warehoused shall not pay the Duties nor export the Goods within 12 Calendar Months, the Collector or Comptroller or other principal

principal Officer of the Customs shall cause the same to be publicly sold to the best Advantage, and the Money arising by such Sale shall be in the First Place applied in Discharge of the Duties, next the Charges attending the Sale, and the Surplus (if any) shall be paid to the Importer who landed and warehoused such Goods, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. § 17.

Of Foreign Colonies, may be imported into the Free Ports.

39. The Produce of any Foreign Colony or Plantation, may be imported into Nassau in New Providence, Pitts Town in Portland Harbour in Crooked Island, and into such Ports in the Bahama Islands, or into the principal Port in Bermuda, or into such Ports in the Caicos, as have been or may hereafter be approved by His Majesty in Council, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to other Goods herein enumerated; and such Sugar may be so imported and again exported without Payment of any Duty of Customs*. 45 Geo. 3. c. 57. § 4, 5.

See FREE PORTS.

His Majesty may permit the Importation into and Exportation from Road Harbour in Foreign Ships;

40. His Majesty with the Advice of the Privy Council may permit the Importation into Road Harbour in Tortola, and the Export from thence into this Kingdom, of Sugar, in the same Manner, and on the same Duties and Drawbacks, and subject to the same Rules, &c. as in 45 Geo. 3. c. 57. respecting Importation and Exportation of Sugar from Nassau, and further subject to such Rules, &c. as shall be directed by His Majesty. 46 Geo. 3. c. 72. § 1.

See FREE PORTS.

and without Payment of Duty.

41. His Majesty with the Advice of the Privy Council may permit the Importation into Road Harbour, and Exportation from thence without Payment of any Duty of Customs, of all Sugar, subject to such Rules, &c. as shall be directed by His Majesty; and all Sugar imported into Great Britain and Ireland from Tortola (other than the Produce of the British Virgin Islands, and exported

---

* *By* 52 *Geo.* 3. *c.* 99. *any Foreign Vessel described in* 45 *Geo.* 3. *c.* 57. *may come in Ballast, or import into any Port of the Bahama Islands "where there is a Custom-house," the Articles allowed by the said Act to be so imported; and also to export the Articles allowed by the said Act to be so exported conformably with the Regulations of the said Act.* See "Free Ports."

under such Certificate as shall be directed by His Majesty, and which shall not be given in any one Year for any greater Quantity than 5,880,000lbs.) shall be deemed to be Foreign Sugars. 46 Geo. 3. c. 72. § 2.

See FREE PORTS.

Syrup. See "Molasses."

Tallow.

May be imported into the Free Ports in Foreign Ships;

1. The Production or Manufacture of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel whatever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

and exported from thence to the United Kingdom.

2. The Production or Manufacture of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 29 Geo. 3. c. 10. with respect to Goods therein enumerated.—45 Geo. 3. c. 57. 49 Geo. 3. c. 34. 52 Geo. 3. c. 99. 57 Geo. 3. c. 94. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

Tar. See "Pitch, Tar, and Turpentine."

Tobacco.

Not to be exported, unless to some other British Plantation, or Great Britain or Ireland.

1. The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For

For the other Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See SUGAR, No 1. to 11.

Duty payable when Bond not given to land in Great Britain or Ireland.

2. There shall be paid to His Majesty One Penny for every Pound Weight of Tobacco shipped in His Majesty's Plantations, if Bond is not first given with One sufficient Surety to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to collect and receive the same, before the lading thereof. 25 Car. 2. c. 7. § 2.

To be deemed Sterling Money.

3. The Duty shall be deemed Sterling Money of Great Britain, and shall be collected, recovered, and paid, to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received and taken according to the Proportion a[illegible] Value of Five Shillings and Sixpence the Ounce in S[illegible], and (the necessary Charges of raising and paying the same excepted) shall be paid into the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 1. c. 15. § 41.

To be levied by the Commissioners.

4. The Business shall be managed and the Duty levied by the Commissioners of the Customs in England, by and under the Authority of the Commissioners of the Treasury. 25 Car. 2. c. 7. § 3.

Officers may accept a Proportion of the Commodity.

5. In case any Person liable to pay the Duty shall not have Money wherewith to pay the same, the Officers shall accept instead of the Money such a Proportion of the Commodity to be shipped as shall amount to the Value thereof according to the Current Rate of the Commodity in such Plantation. 25 Car. 2. c. 7. § 4.

Bond to be given although Duty paid.

6. Notwithstanding the Payment of the Duty, no Tobacco shall be shipped until the Security required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of the Vessel and Goods. 7 & 8 W. 3. c. 22. § 8.

Laws and Customs in the Plantations repugnant to the Laws of Great Britain, null and void.

7. All Laws, Bye-Laws, Usages, or Customs in force or practice in any of the said Plantations in anywise repugnant to the before-mentioned Acts, so far as they relate to the said Plantations, or which are anyways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Laws shall relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

8. If

Penalty on Persons concerned in the Loading without Payment of Duty, or to whose Hands the Goods shall come.

8. If the Goods shall be laden on board any Ship before the Duties are paid, every Person assisting or otherwise concerned in the loading, to whose Hands the same shall knowingly come after the loading, shall forfeit Treble the Value, to be computed according to the best Price the Commodity bears at the Place where the Offence is committed; and all Boats made use of in the loading shall be forfeited, and seized and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

Of the United States may be imported into West India Islands and Guiana in British Ships;

9. The Production of any of the Territories of the United States may be imported from any of the said Territories into any of His Majesty's West India Islands, (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the Province of Guiana; but such Tobacco shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

and into Bermuda in Foreign Ships.

10. The Growth of the said Territories may be imported from thence into Saint George or Hamilton in the Island of Bermuda in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under Foreign European States.

11. No Tobacco shall be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

Except in Cases of Emergency, for the Supply of the Inhabitants, by Authority of the Governor.

12. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, with the Advice and Consent of their respective Councils, may authorize the Importation of Tobacco, for a limited Time, from any Island in the West

Indies or Colony or Plantation on the Continent of South America belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but such Tobacco shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

Imported for the Supply of the Inhabitants, not to be exported, and Oath to be taken before shipping Tobacco that it was not so imported.

13. In case any Tobacco which shall have been imported from any Island in the West Indies or Colony on the Continent of South America under the Dominion of any Foreign European Sovereign or State into any of His Majesty's West India Islands, Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat, or brought to any Quay with intent to be exported, the same shall be forfeited, as also the Vessel or Boat in which laden; and before shipping any Tobacco, whether in its manufactured or unmanufactured State, that may lawfully be exported, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported under such Authority as aforesaid from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo 3. c. 56 § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

False Oaths deemed Perjury.

14. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

May be imported into the Free Ports in Foreign Vessels, and exported to the United Kingdom.

15. Any Tobacco being the Growth or Production of any Island in the West Indies or of any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Islands or Countries into the Free Ports, in any Foreign Ship, owned and navigated by Persons inhabiting any of the Colonies or Plantations in America or Countries on the Continent of America belonging to or under the Dominion of any Foreign

Foreign European Sovereign or State, and exported from thence to any Part of the United Kingdom, under the Restrictions, &c. provided in 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57. § 2.

See FREE PORTS.

Importation allowed from Portuguese Colonies.

16. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands) or Demerara, Berbice, or Essequibo, any Tobacco being the Growth of some of the Territories or Dominions of the Crown of Portugal in South America, provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

By whom Goods and Vessels may be seized.

17. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer, specially authorised by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 56. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

May be imported into Ports to be approved of by His Majesty in Nova Scotia or New Brunswick in Foreign Ships;

18. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Tobacco into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick; provided that the said Tobacco shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any such Tobacco may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

under such Regulations as His Majesty may think necessary.

19. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of such Tobacco at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Limitation of the Act.

20. This Act shall continue in force during the Space of Three Years from and after the passing of the same

* 8th *May* 1818.

and

and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Importation allowed for Supply of Inhabitants from Colonies under European Sovereigns.

21. May be imported into any of His Majesty's Colonies or Plantations in the West Indies, or on the Continent of South America, for the Supply of the Inhabitants, in British-built Ships, owned, navigated, and registered according to Law, from any Colony or Possession in the West Indies, or on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 58 Geo. 3. c. 27. § 1.

Imported from the United States by way of Barter or Traffic, may be exported to the United Kingdom.

22. If any Tobacco of the Growth or Production of the United States of America, which shall, in the fair and lawful way of Barter or Traffic between the People of the said United States and between any of the People of His Majesty's Islands in the West Indies, be imported from any Part of the said United States into any of the said Islands by British Subjects and in British-built Ships, owned and navigated according to Law, it shall be lawful to export from any of the said Islands the same Tobacco, and to import it directly from thence into Great Britain or Ireland, in British-built Ships registered and navigated according to Law. 29 Geo. 3. c. 68. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

Name of the Ship and Master to be specified in the Document.

23. The Name of the Ship in which such Tobacco shall be imported from any Part of the said United States into any of the said Islands in the West Indies, and also the Name of the Master, shall be particularly specified in the Manifest or Content in Writing accompanying such Tobacco. 29 Geo. 3. c. 68. § 16.

Shipped for Great Britain a Manifest to be delivered to the Master by the Officer of the Customs.

24. When any Ship shall have taken on board Tobacco at any Port within His Majesty's Colonies, Plantations, Islands, or Territories in America, in order to convey the same from thence into Great Britain, the Collector and Comptroller of the Customs at such Port, (if there shall be such Collector and Comptroller there resident, and in default thereof Two other Chief Officers of the Customs at such Port), shall, on the clearing of every such Ship by the proper Officer of the Customs, deliver to the Master a Manifest or Content in Writing under their Hands and Seals of Office, which Manifest or Content shall contain the Name of the Port or Place where such Tobacco shall have been so taken on board, the Name and Built of the Ship, and the true Admeasurement or Tonnage thereof according to the Register, together with the Christian and Surname of the Master, and

and the Port to which such Ship truly belongs, and a true Account of all the Tobacco so laden on board, with the Number of Hogsheads, Casks, Chests, and Cases containing the same, and the Weight of the Tobacco contained in each such Hogshead, &c. together with the Marks and Numbers set thereon, with the Tare of each such Hogshead, &c. and such Weight of the Tobacco and Tare shall also be marked on each such Hogshead. 29 Geo. 3. c. 68. § 17.

Tobago.

Scarborough a Free Port.

Certain Articles allowed to be imported into and exported from the Port of Scarborough in Foreign Ships. 45 Geo. 3. c. 57.

See Free Ports.

Tools and Implements.

For the Fishery May be imported from the Isle of Man;

1. Any of His Majesty's Subjects residing in the Isle of Man may lade there and transport directly to any Part of America where the Fishery is carried on, on board any Ship which may lawfully trade or fish there, any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of such Ships carrying out the same, and the Craft belonging to and employed by such Ships; such Hooks, &c. being the Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

upon a Certificate being produced from the Officers there, as to the Manufacture.

2. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Hooks, &c. that the same are of the Manufacture of Great Britain or Ireland, or of the Isle of Man, and that the Articles (specifying the Quantities and Particulars of each Sort) are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the said Fishery, and for no other Purpose whatsoever; which Oath and Certificate such Collector or other Officer is required to administer and grant (without Fee or Reward);

ward); and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited in the same Manner as if this Act had not been made. 15 Geo. 3. c. 31. § 6.

Tortoise Shell.

1. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from thence into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. *See* Free Ports.

May be imported into the Free Ports in Foreign Vessels;

2. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from the said Ports to any Part of the United Kingdom under the Rules, &c. of 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 18. with respect to Goods therein enumerated. — 45 Geo. 3. c. 57. 49 Geo. 3. c. 27. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. *See* Free Ports.

and exported from thence to the United Kingdom.

Tortola.

The Port of Road Harbour, One of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. *See* Free Ports.

Road Harbour a Free Port.

Trinidad.

1. The Port of San Josef, One of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. *See* Free Ports.

San Josef a Free Port.

Turks Islands. See "Bahamas and Bermuda."

Vegetables,

May be imported from the United States in Foreign Ships.

The Produce of the United States of America, may be imported from the said States into certain Ports in Bermuda, enumerated in the Acts 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Ships of the Description therein stated, and under the like Regulations, Penalties, and Forfeitures. 57 Geo. 3. c. 28.

See UNITED STATES.

Vermilion,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.
MALTA.

United States.

No Goods to be imported from the United States except Tobacco, &c. by British Subjects and in British Ships.

1. No Goods shall be imported from any of the Territories belonging to the United States into His Majesty's West India Islands (in which the Bahama and Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, on Forfeiture thereof and the Ship, except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, such Commodities being the Growth or Production of the Territories of the said States; but the said Articles shall not be so imported, except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

except also Household Furniture, &c. by Persons intending to settle in the Colonies.

2. Except also Household Furniture, Utensils of Husbandry, and Clothing, by Subjects of the said States who shall come from thence, together with their Families, to the Bahama or Bermuda Islands, or to the Province of

Quebec, Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor, of the said Islands, Provinces, or Territories respectively; provided such Household Furniture, &c. are imported in British Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not in the whole exceed the Value of £50 for every White Person that shall belong to the Family, and 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

Articles enumerated in No. 1. may be imported into Bermuda in Foreign Ships and exported in British;

3. Any of the said Articles (enumerated in No. 1.) the Growth or Production of the United States, may be imported from thence into Saint George or Hamilton in Bermuda, in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

also the Importation of Fruit and Vegetables in the like Ships, and Exportation of Rum and Molasses in British.

4. In addition to the Articles enumerated in the Acts 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50., it shall be lawful to import from the United States into the Ports mentioned in the said Acts, and in Ships of the Description therein stated, and under the like Regulations, Penalties, and Forfeitures, Fruit and Vegetables being the Produce of the said States; and, in addition to the Articles permitted to be exported by the said Acts, to export from Bermuda to the said States, in such Vessels and under such Regulations as aforesaid, Rum and Molasses, the Produce of any British Colony in the West Indies, which shall have been legally imported into Bermuda in any British Ship. 57 Geo. 3. c. 28. § 1.

Other Articles allowed to be imported and exported.

4 a. In addition to the Articles enumerated in 52 Geo. 3. c. 79. 53 Geo. 3. c. 50. and 57 Geo. 3. c. 28. it shall be lawful to import from the United States into the Ports mentioned in the said Acts, in Vessels of the Description therein stated, and under the Restrictions, Penalties, and Forfeitures provided in the said Acts, the Article of Rosin being the Produce or Manufacture of the said States; and, in addition to the Articles permitted to be exported by the said Acts, to export from Bermuda to the said States, in such Vessels and under such Regulations as aforesaid, all Articles the Produce or Manufacture of the said Island, and all Articles whatever which shall have been legally imported into the same in any British Ship or Vessel. 59 Geo. 3. c. 55.

Articles allowed to be exported from the West India Islands to the United States in British Ships.

5. Any Person may export from the West India Islands to any Place within the Territories belonging to the United States, any Goods not by Law prohibited to be exported from the said Islands

to any Foreign Country or Place in Europe, and also Sugar, Molasses, Coffee, Cocoa Nuts, Ginger, and Pimento; and all Cocoa Nuts or Ginger which shall be exported, shall be liable to to the same Duties to which the same are liable if exported to any British Colony or Plantation in America; and the said Duties shall be raised, recovered, and applied in the same Manner as the Duties on Cocoa Nuts or Ginger exported to any British Colony or Plantation in America; provided that no Sugar, Molasses, Coffee, Cocoa Nuts, Ginger, or Pimento, nor any other Commodities (except Salt from Turks Islands, being Part of the Bahama Islands) shall be so exported other than by British Subjects, and in British-built Vessels, owned and navigated according to Law, on Forfeiture thereof and the Vessel. 28 Geo. 3. c. 6. § 3.

See GOODS, ENUMERATED AND NON-ENUMERATED.

Where on Exportation of Goods to a British Colony, a Bond is required, the like Bond shall be given on Exportation to the United States.

6. Where on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due Landing such Goods, and a Certificate is required to discharge such Bond, (see "Sugar," and other enumerated Articles, and "Goods, non-enumerated,") a similar Bond shall be required on Exportation of such Goods to the United States; and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul; or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall have been landed, and that Oath hath been made before such Magistrate by the Master of the Vessel, that the Goods were duly landed. 28 Geo. 3. c. 6. § 4.

Sugar, &c. may be exported from Bermuda to the said States in Foreign Ships.

7. Any Sugar, Coffee, Rum, and Molasses, the Produce of any British Colony in the West Indies, imported into Bermuda in any British Ship, may be exported from the Port of Saint George or from the Port of Hamilton in the said Island, to any Part of the Territories of the United States, in any Foreign Vessel belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28.

Foreign Ships may come to the Turks Islands to be there laden with Salt.

8. Any Ship belonging to the Inhabitants of the United States, coming in Ballast and not otherwise, may enter the Ports of the Islands called "Turks Islands" for the Purpose of being there laden with Salt, provided the Master shall immediately after the Arrival of such Ship in any Port of the said Islands, make a true Entry of his Ship,

Ship, upon Oath before the Collector or other Principal Officer of such Port, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the said Port, in order that such Ship may undergo the Search and Examination of the proper Officers of His Majesty's Customs; and such Master shall truly answer upon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other Principal Officer, under the Penalty of £100. 28 Geo. 3. c. 6. § 5, 6.

Tonnage Duty to be paid.

9. There shall be paid, for the Use of His Majesty, a Tonnage Duty after the Rate of Two Shillings and Sixpence Sterling, payable in Dollars at the Rate of Five Shillings and Sixpence per Ounce, for every Ton Burthen of every such Ship; and the Tonnage shall be ascertained by Admeasurement made by such Officer as shall be appointed for that Purpose by the Commissioners of His Majesty's Customs in England for the Time being, or any Four or more of them, which Officer shall admeasure such Ship according to the following Method; viz.

'Drop a Plumb Line over the Stern of the Ship, and 'measure the Distance between such Line and the 'After-part of the Stern Post at the Load Water 'Mark, then measure from the Top of the said 'Plumb Line in a parallel Direction with the Water 'to a perpendicular Point immediately over the 'Load Water Mark, at the Fore-part of the main 'Stem, substracting from such Measurement the 'above Distance, the Remainder will be the Ship's 'extreme Length; from wh. is to be deducted 'Three Inches for every Foot of the Load Draught 'of Water for the Rake abaft, and also Three 'Fifths of the Ship's Breadth for the Rake for-'ward, the Remainder shall be esteemed the just 'Length of the Keel to find the Tonnage; and the 'Breadth shall be taken from Outside to Outside of 'the Plank, in the broadest Part of the Vessel, either 'above or below the Main Wales, exclusive of all 'Manner of Sheathing or Doubling that may be 'wrought upon the Side of the Vessel; then mul-'tiply the Length of the Keel for Tonnage by the 'Breadth so taken, and that Product by Half the 'Breadth, and dividing by 94, the Quotient shall 'be deemed the true Contents of the Tonnage.' 28 Geo. 3. c. 6. § 7.

10. The

Receipt and Appropriation.

10. The Amount of the Tonnage Duty so ascertained shall be paid into the Hands of the Collector of His Majesty's Customs at the Port or Place wherein he shall be appointed to reside, in any of the said Islands, before any Salt shall be loaden; and such Duty shall be under the Management of the Commissioners of His Majesty's Customs, and be collected and recovered in the like Manner, and by the like Rules, and under such Penalties and Forfeitures, as any other Duties now payable to His Majesty on Goods imported into any of the Islands, Colonies, or Territories under the Dominion of His Majesty in America, or the West Indies, are or may be collected, paid, and recovered by any Act now in force; and such Duty shall be subject to the Payment of the Salaries of the Officers, and other incidental Charges of the Port, and the Residue paid to the Receiver General of the Customs in England, to be by him paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

What Articles allowed to be exported from the Turks Islands.

11. No Goods shall be exported from the Turks Islands to any of His Majesty's Dominions in America or the West Indies, or laid on board any Ship in the said Islands for that Purpose, except Salt; and no Goods shall be exported from the said Islands to Great Britain or Ireland, or laid on board any Ship in the said Islands for that Purpose, except Salt, and also except such Goods as may now or hereafter be by Law imported into Great Britain from all other Countries free of Duties; under the Forfeiture of such Goods, and of the Ship on board of which the same shall be so exported or laid on board. 28 Geo. 3. c. 6. § 9.

American Ships may enter certain Ports in the Bahamas to be there laden with Salt.

12. Until 25th March 1819, any Ship belonging to the United States, coming in Ballast and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exuma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt, subject to the Rules, Regulations, and Restrictions of the 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turks Islands. 57 Geo. 3. c. 42. § 1.

No Goods to be imported from thence into Nova Scotia, &c. except Pitch, Tar, and Turpentine.

13. No Goods shall be imported from any of the Territories of the United States into Nova Scotia or New Brunswick, Cape Breton, St. John's, or Newfoundland, or any Country or Island within their respective Governments, on Forfeiture thereof, and of the Ship, except Pitch, Tar, and Turpentine, the Production of the said Territories, and which may be imported from thence

thence into Nova Scotia or New Brunswick, by British Subjects, in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

Except also Scantling, &c. in case of Emergency, by Authority of the Governor;

14. In case of Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief of Nova Scotia or New Brunswick, Cape Breton or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain of any Sort, for a limited Time, from any of the Territories of the United States, for the Supply of the Inhabitants of the said Provinces and Islands; but such Scantling, &c. shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

and Bread, &c. into Newfoundland for the Supply of the Inhabitants and Fishermen.

15. His Majesty in Council, by Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, from any of the Territories belonging to the United States, for the Supply of the Inhabitants and Fishermen for the then ensuing Season only; provided that such Bread, &c. shall not be so imported, except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

The Articles enumerated in No. 1. may be imported from the United States for Re-exportation.

16. Any of the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia or New Brunswick, or Cape Breton or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of the Articles enumerated in 28 Geo. 3. c. 6. (Tobacco, &c. see No. 1.), for a limited Time, from any of the Territories of the United States, for the Purpose of being re-exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

No Goods to be imported from thence into Quebec;

17. No Goods shall be imported from the United States by Sea or Coastwise into Quebec, or the Countries

or Islands within the Government thereof, or up the River Saint Lawrence from the Sea, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 14.

except Bread, &c. for the Supply of the Persons carrying on the Fishery:

18. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the importing of Bread, Flour, Indian Corn, and Live Stock, as well into Quebec as into all the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United Sates, for the Supply of the Persons employed in carrying on the Fisheries; but such Articles shall not be so imported, except in conformity to such Regulations and Restrictions as shall be specified in such Order, and by British Subjects in British built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 29 Geo. 3. c. 16 § 1.

also Neat Cattle, &c. for the Supply of the Inhabitants.

19 In case of public Emergency and Distress, the Governor of Quebec, or Lieutenant Governor, or Commander in Chief, with the Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or the Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from the United States, for the Supply of the Inhabitants of the said Province and Countries; but the said Articles shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

Not to be brought from thence into Canada, except the Produce of the States.

20. No Goods, except of the Produce or Manufacture of the Territories of the United States, shall be brought from the said Territories by Inland Navigation or Land Carriage into the Provinces of Lower or Upper Canada, on Forfeiture of the Goods or the Value thereof, with the Vessel or Carriage in which the same shall be brought, to be recovered and distributed in like manner as is directed in any Act in the Case of Offences being committed against the Laws of Customs in His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

By whom Goods and Vessels may be seized.

21. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships

Ships or Vessels of War, or by any Commissioned Warrant, or Petty Officer specially authorized by them, or by any Officers of His Majesty's Customs. 28 Geo. 2. c. 6. 29 Geo. 2. c. 16. 29 Geo. 2. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

Utensils of Husbandry.

See "Settlers."

Wages of Seamen. See "Seamen."

Whale Fins.

The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. §. 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

Not to be exported, unless to some other Plantation, or to Great Britain or Ireland.

For the Restrictions, Penalties, and Forfeitures, to secure the Landing in the Plantations, or in Great Britain or Ireland,

See Sugar, No. 1. to 11.

Whetstones,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

Importation allowed from Malta or Gibraltar.

Wine.

1. Of the Madeiras, or of the Western Islands or Azores, may be there laden for Exportation direct to the British Colonies in America. 15 Car. 2. c. 7. § 6.

May be imported from the Madeiras or Western Islands.

2. The Produce of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe South of

Vessels from the British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Wine the Produce of Europe.

Cape Finisterre for Exportation direct to any of the Ports herein after mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port or Place of Europe with Articles the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed or undressed, Hoops, Pine Plank or Boards, from the Province of Canada, whether such Goods are the Produce of Canada, or brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

What Duties liable to.

3. Upon the Importation of such Wine into any of the said Ports, the same shall be subject to the Payment of the like Duties, as if imported into the said Ports of Great Britain, and no other Duties. (See No. 10.)—51 Geo. 3. c. 97. § 3.

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Provinces, or of the British Fisheries, and Certificate thereof to be produced.

4. The Person exporting any Cargo from Nova Scotia or New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or the Naval Officer in Command, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America, taken and cured by His Majesty's Subjects carrying on the Fishery from the said Colonies; and such Officer of the Customs or Naval Officer shall certify such Oath under his Hand, which Certificate shall be produced by the Master on his Arrival at the Port in Europe to which such Cargo shall be consigned, or to which such Vessel shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

Certain Articles may be exported from Canada without such

5. The Persons exporting any Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed or undressed, Hoops, Pine

Pine Plank and Boards, from Canada, shall not be required to make Oath that the Articles are the Produce of Canada; and the Master on his Arrival at such Port of Europe shall only be required to produce a Certificate from the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the said Province (if any) by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs or Naval Officer shall grant, upon satisfactory Proof being made upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to as aforesaid, by the Master of such Ship, at the Port of Delivery in Europe. 51 Geo. 3 c. 97. § 5.

Oath, on producing a Certificate of the regular Importation by Land or Inland Navigation.

6. Before the Shipment of any Pickled Fish or Dry Fish, for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until the same shall be shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and on such Oath being taken, the Officer of the Customs or Naval Officer shall grant Certificate thereof, signed with his Hand, which Certificate the Master shall be required to produce at the Port of Delivery in Europe, and shall make Oath of the Authenticity of such Certificate. 51 Geo. 3. c. 97. § 6.

Oath to be made before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

7. Any Ship or Goods subject to Forfeiture under this Act may be seized by any Officer of the Customs in the said Colonies, or by the Commander of any of His Majesty's Ships of War, and the same may be prosecuted, recovered, and divided in the same Manner, and by the same Rules and Regulations (as far as the same are applicable), as any other Forfeiture imposed by any Act made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, may be prosecuted, &c. in the British Colonies. 51 Geo. 3. c. 97. § 7.

By whom Ship and Goods may be seized and prosecuted.

8. May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's

Importation allowed from Malta or

Gibraltar, on the same Duties as from Madeira.

Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law; and upon the Importation thereof into such Colonies shall be subject to the Payment of such Duties, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations from Madeira. (See No. 10.)—55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

and from the Netherlands, if intended as Supplies for the Estates of Dutch Proprietors in Guiana.

9. Intended as a Medicine and necessary Article of Supply for the Estates of Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, not exceeding what may be necessary for the Purposes of such Supply, may be imported into the said Colonies from the Netherlands, on board Dutch Ships, and shall be liable to the Duty of 10s. per Ton, and no more. 56 Geo. 3. c. 91. § 3, 4.

See GUIANA.

Duties upon Importation.

10. There shall be paid unto His Majesty upon all Wines (except French) imported into any Colony or Plantation in America, under the Dominion of His Majesty, the Duties following; that is to say,

For every Ton of Wine of the Growth of the Madeiras, or of any other Island or Place from whence such Wine may be lawfully imported, and which shall be so imported from such Island or Place, the Sum of £7.

For every Ton of Portugal, Spanish, or any other Wine (except French Wine), imported from Great Britain or Ireland, the Sum of 10s. and after those Rates for any greater or less Quantity. 4 Geo. 3. c. 15. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

In what manner to be paid.

11. The Duties shall be paid in the same Manner and Form, and by such Ways and Means, and under such Penalties and Forfeitures, (not otherwise altered by this Act) as are mentioned in 6 Geo. 2. c. 13. (see "Sugar") with respect to the Duties thereby granted; and all Powers, Penalties, Provisions, and Clauses therein contained (except where any Alteration is made by this Act) shall be practised and put in Execution for the levying and answering the Duties hereby granted. 4 Geo. 3. c. 15. § 7.

12. If

12. If the Importer shall refuse to pay the Duties, the Collector or other proper Officer of the Customs shall secure the Wine, to be publicly sold within Twenty Days after such Refusal, and at such Time and Place as such Officer shall by Four Days public Notice appoint; and the Money arising by the Sale shall be applied, first in Payment of the Duties, with the Charges occasioned by the Sale, and the Overplus, if any, shall be paid to the Importer or other Person authorized to receive the same. 4 Geo. 3. c. 15. § 7. 56 Geo. 3. c. 91. § 3. *If not paid the Wine may be sold.*

13. If the Money offered for such Wine shall not be sufficient to discharge the Duty and Charges, then the Collector or other proper Officer shall cause the Wine to be spilt or otherwise destroyed, and shall return the Casks, or other Package wherein the same was contained, to such Importer. 4 Geo. 3. c. 15. § 8. 56 Geo. 3. c. 91. § 3. *If not worth the Duty and Charges, the Wine may be destroyed.*

14. The Monies arising by the said Duties (except the necessary Charges of raising, recovering, and accounting for the same) shall be paid into the Exchequer separate and apart from all other Monies, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 4 Geo. 3. c. 15. § 10. 56 Geo. 3. c. 91. § 3. *Appropriation of the Duties.*

15. All Sums granted by these Acts shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and may be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver. 4 Geo. 3. c. 15. § 41. 56 Geo. 3. c. 91. § 3. *To be deemed Sterling Money.*

Witnesses.

1. Every Person examined as a Witness on any Inquiry directed by the Commissioners of the Customs in England, or any Four of them, to be made in America or the West Indies, relative to His Majesty's Revenue of Customs or other Duties there, or to the Conduct of the Officers employed in the Collection thereof, by or before any Collector and Comptroller of the Customs, or by or before such other Persons as shall be appointed by the Commissioners or any Four of them, shall deliver his Testimony *To deliver their Testimony on Oath on Inquiries directed by the Commissioners of the Customs.*

Witnesses.

Testimony on Oath, to be administered by the said Officer or Persons so appointed before whom he shall be examined. 49 Geo. 3. c. 46. § 1.

False Oaths deemed Perjury.

2. Any Person who shall be convicted of making a false Oath touching any of the Facts required by this Act to be testified on Oath, or of giving false Evidence on his, her, or their Examination on Oath, by or before any Collector and Comptroller of the Customs of any Port in the West Indies or America, or such other Person appointed as aforesaid, shall be deemed guilty of Perjury, and liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury. 49 Geo. 3. c. 46. § 2.

Wood.

Not to be exported, unless to some other Plantation, or to Great Britain or Ireland.

1. No Masts, Yards, or Bowsprits, of the Production or Manufacture of the British Plantations in America, shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the other Restrictions, Penalties, and Forfeitures, to secure the landing in the Plantations, or in Great Britain or Ireland,

See SUGAR, No. 1. to 11.

Bond to be given that Lumber shall not be landed in any Part of Europe except Great Britain or Ireland.

2. No Wood commonly called "Lumber," that is to say, Deals of several Sorts, Timber Balks of several Sizes, Barrel Boards, Clap Boards, Pipe Boards, or Pipe Bolt, White Boards for Shoe Makers, Boom and Cant Spars, Bow Staves, Capravens, Clap Bolt, Ebony Wood, Headings for Pipes, Hogsheads and Barrels, Hoops for Coopers, Oars, Pipe and Hogshead Staves, Barrel Staves, Firkin Staves, Trunnels, Speckled Wood, Sweet Wood, Small Spars, Oak Plank, and Wainscots, of the Production or Manufacture of any of the British Colonies or Plantations in America, shall be there laden until Bond be given with One Surety, besides the Master of the Ship, to the Collector or other principal Officer of the Customs at the loading Port, in a Penalty of Double the Value of the Goods, with Condition that the same shall

not be landed in any Part of Europe except Great Britain or Ireland; which Bond shall be discharged in the Manner hereafter mentioned; that is to say, for such Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in discharge thereof within Eighteen Months from the Date of the Bond, and within Six Months for such Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificate shall be under the Hands and Seals of the Collector or other Principal Officer of the Customs resident at the Port where such Goods shall be landed, testifying the landing thereof; and for such Goods as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within Twelve Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond may be discharged by Proof upon Oath, made by credible Persons, that the Goods were taken by Enemies or perished in the Seas. 4 Geo. 3. c. 15. § 28. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

May be landed at the Madeiras or Western Isles, or any Part of Europe South of Cape Finisterre.

3. Any of the said Lumber may be exported to the Madeiras, or the Western Isles called the Azores, or any Part of Europe to the Southward of Cape Finisterre, upon Bond being given in the Penalty directed by 4 Geo. 3. c. 15. with Condition that the Goods shall be there landed accordingly, and not in any other Part of Europe, except Great Britain or Ireland, and that a Certificate testifying the landing shall be produced within Eighteen Months to the Collector or other Principal Officer where Bond shall have been given, under the Common Seal of the Chief Magistrate, or under the Hand and Seal of the British Consul, or the Hands and Seals of Two known British Merchants where such Goods shall be landed; and upon producing such Certificate, or Proof upon Oath by Two credible Persons that the Goods were taken by Enemies, or perished in the Seas, the Bond shall be discharged. 5 Geo. 3. c. 45. § 22. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

Dying Wood may be exported to Malta or Gibraltar.

4. Any Fustic or Dying Wood of the Growth of any of the British Colonies or Plantations, may be exported direct to Malta, or the Dependencies thereof, or to Gibraltar,

Gibraltar, under the Regulations of these Acts. 55 Geo. 3. c. 29. §1. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

Duty payable on Logwood if Bond not given to land in Great Britain or Ireland.

5. If any Ship shall take on board any Logwood, Fustic, or other Dying Wood, and Bond shall not be first given with One sufficient Surety to unload the same in Great Britain or Ireland (the Dangers of the Seas excepted), there shall be paid to His Majesty the Duties hereafter mentioned; that is to say,

For Logwood the Cwt. containing 112 lbs. £5*.

For Fustic and other Dying Wood, the Cwt. containing 112 lbs. Sixpence.

To be collected and paid at such Places, and to such Collectors and Officers as shall be appointed to receive the same, before the Lading thereof. 25 Car. 2 c. 7. § 2.

To be deemed Sterling Money.

6. The Duties shall be deemed Sterling Money of Great Britain, and shall be collected and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

To be levied by the Commissioners.

7. The Business shall be managed and the Duty levied by the Commissioners of the Customs in England, under the Authority of the Commissioners of the Treasury. 25 Car. 2. c. 7. § 3.

Officers may accept a Proportion of the Commodity.

8. In case any Person liable to pay the Duty shall not have Money to pay the same, the Officers shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the current Rate of the Commodity in such Plantation. 25 Car. 2. c. 7. § 4.

Bond to be given although Duty paid.

9. Notwithstanding the Payment of the Duty, no Logwood shall be shipped until the Security required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been

---

* *This is the Sum stated in the Edition of the Statutes published under the Direction of the Commissioners of Public Records, but it has been considered that the Duty intended to be levied was only 5s. the Cwt.*

given

given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of the Vessels and Goods. 7 & 8 W. 3. c. 22. § 8.

Laws and Customs in the Plantations repugnant to the Laws of Great Britain, null and void.

10. All Laws, Bye-laws, Usages or Customs, in force or practice in any of the said Plantations, in any wise repugnant to the before-mentioned Acts, so far as they relate to the said Plantations, or which are any ways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Law shall relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

Penalty on Persons concerned in the Loading without Payment of Duty, or to whose Hands the Goods shall come.

11. If the Goods shall be loaden before the Duties are paid, every Person assisting or otherwise concerned, or to whose Hands the same shall knowingly come after the Loading, shall for every Offence forfeit Treble the Value of the Goods, to be computed according to the best Price the Commodity bears at the Place where the Offence is committed; and all the Boats made use of shall be forfeited, and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

Logwood, &c. may be exported from the Free Ports to the United Kingdom.

12. Viz. Logwood, Fustic, or other Wood for Dyers' Use, Mahogany, and Woods for Cabinet Ware, the Growth of any of the Colonies or Plantations in America, or of any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State, may be exported from any of the Free Ports to any Part of the United Kingdom, under the Regulations, Restrictions, Securities, Penalties, and Forfeitures provided in 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57.

See FREE PORTS.

Lumber may be exported from Canada to Ports of Europe South of Cape Finisterre without Oath that they are the Produce of the Province.

13. The several Articles hereafter mentioned may be exported from Canada in a British-built Ship, owned, navigated, and registered according to Law, to any Port of Europe South of Cape Finisterre, without any Oath being required at the Port of Shipment of their being the Growth or Produce of the Province, or any Certificate being required of the Country from whence they came; that is to say, White Oak Staves and Heading, dressed or undressed, Hoops, Pine Plank and Boards; and the Master of any British-built Ship laden with any of the said Articles, shall only be required to produce, at such Port of Europe within the Limits aforesaid, a Certi-

ficate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the Province (if any) by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to by the Master of such Vessel, at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

See CANADA.

Masts, &c. may be imported into West India Islands and Guiana from the United States in British Ships;

14. Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, the Production of any of the Territories of the United States, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands or the Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the Province of Guiana; but not to be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1. 56 Geo. 3. c. 91. § 1.

and into Bermuda in Foreign Ships.

15. Any of the said Articles, being the Production of the said Territories, may be imported from thence into St. George or Hamilton in Bermuda, in any Foreign Ship belonging to any Kingdom or State in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

Not to be imported from Colonies under Foreign European States.

16. No Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, or Lumber of any Sort, shall be imported into His Majesty's West India Islands (including the Bahama and the Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and the Ship. 28 Geo. 2. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

Except in case of Distress, by Authority of the

17. In case of public Emergency or Distress, any of the Governors, Lieutenant Governors, or Commanders

in

in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation of any of the said Articles, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants; but such Articles shall not be so imported, except by British Subjects, in British-built Vessels, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91.

Governor, for the Supply of the Inhabitants.

18. Any Person may import, in British-built Ships, owned, navigated, and registered according to Law, into the Islands under the Dominion of His Majesty in the West Indies, from any Colony or Plantation on the Continent of South America under the Dominion of any Foreign European Sovereign or State, or from Porto Rico in the West Indies, the following Species of Timber, viz. Bully Tree, Purple Heart, Green Heart, Black Heart, Mastic, Wallabaw, Yellow Saunders, Locusts, or Bastard Mahogany, being the Growth or Production of any of the said Colonies or Plantations. 33 Geo. 3. c. 50. § 13.

Bully Tree, &c. may be imported from Porto Rico, &c.

19. During the Continuance of the Treaty with Portugal, any Person may import into any of the West India Islands (including the Bahama and the Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, any Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, being the Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America; such Article being imported into the said Islands or Colonies directly from the said Territories or Dominions, in British-built Ships, owned and navigated according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 5.

Masts, &c. may be imported from the Portuguese Colonies.

20. No Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, or Lumber of any Sort, which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Demerara, Berbice, or Essequibo, for the Supply of

Imported as Supplies, not to be exported, and before shipping the like Articles that may lawfully be exported, Proof to be made that they were not imported as Supplies.

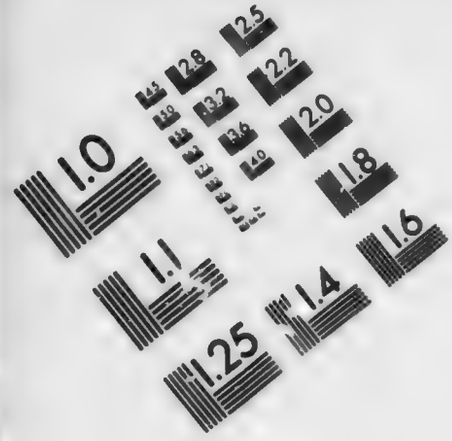
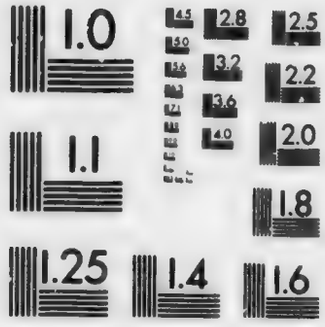
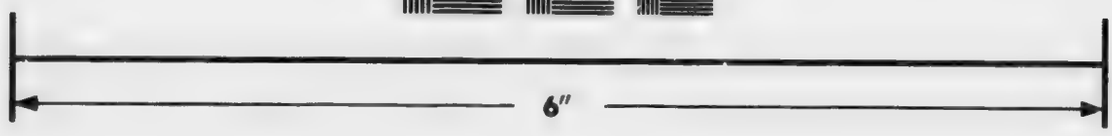
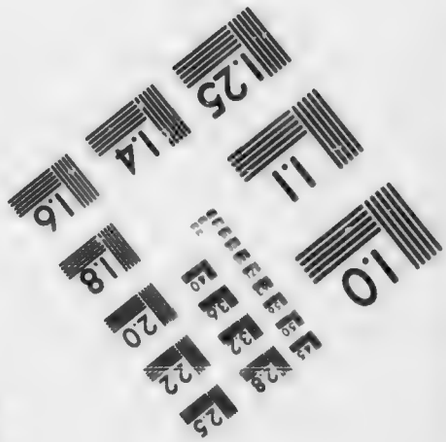


IMAGE EVALUATION TEST TARGET (MT-3)







Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

the Inhabitants, (see No. 17.) shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat, or brought to any Quay with Intent to be so exported, on Forfeiture thereof, and of the Ship or Boat in which laden; and before the shipping of any Masts, &c. whether manufactured or unmanufactured, that may lawfully be exported, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies or Colony on the Continent of South America under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

False Oaths deemed Perjury.

21. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified upon Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

Scantling, &c. may be imported from the United States into Nova Scotia, &c. for the Supply of the Inhabitants in case of Distress;

22. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Breton, and Saint John, with the Advice and Consent of their respective Councils, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, and squared Timber, for a limited Time, from any of the Territories of the United States, for the Supply of the Inhabitants of the said Provinces and Islands; but such Articles shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

or for Re-exportation to other Colonies.

23. Any of the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Breton, or Saint John's, with the Advice of their respective Councils, may authorize the Importation of the said Articles, for a limited Time, from any of the Territories of the United States, for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

Scantling, &c. may be imported in Foreign Ships

24. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty,

may import into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Scantling, Planks, Staves, Heading-boards, Shingles, and Hooks; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

into Ports to be approved of by His Majesty in Nova Scotia or New Brunswick.

25. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of the said Goods at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Subject to such Rules as His Majesty shall think fit.

26. This Act shall continue in force during the Space of Three Years from and after the passing of the same *, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

Limitation of the Act.

27. The Goods and Ships forfeited by these Acts may be seized by the Commanders of Ships of War, or any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 56. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

By whom Goods and Ships may be seized.

28. Logwood, Fustic, or Wood for Dyers' Use, Hard Wood or Mill Timber, Logwood, Mahogany, or Wood for Cabinet Ware, being the Growth or Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from thence into the Free Ports in any Foreign Ships, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57.

See Free Ports.

Logwood, &c. may be imported into the Free Ports in Foreign Ships.

29. For the Conditions upon which Ships landing Lumber at any of the British Sugar Colonies in the West Indies, are allowed to import Spirits without Payment of Duty into certain Colonies in North America, *See* Spirits.—28 Geo. 3. c. 39. § 1, 2. 30 Geo. 3. c. 8. § 2 53 Geo. 3. c. 37. § 1.

Lumber landed at the Sugar Colonies.

* *8th May* 1818.

Importation of Mill Timber and Box Wood allowed from Malta or Gibraltar.

30. Mill Timber or Box Wood may be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.—*See* GIBRALTAR. MALTA.

Wool & Woollen Manufactures.

Of the British Plantations not to be exported to any Place whatever;

1. No Wool, Woolfells, Shortlings, Mortlings, Wool Flocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery, Stuffs, or Woollen Manufactures, made or mixed with Wool or Wool Flocks of the Manufacture of any of the British Plantations in America, shall be loaden on board any Ship within any of the said Plantations, nor upon any Horse, Cart, or other Carriage, to the Intent to be exported or conveyed to any other of the Plantations, or to any other Place whatever, on Forfeiture thereof, and £500 by the Offender; and every Ship, Vessel, or Boat, wherein any of the said Commodities shall be shipped, shall be forfeited; and the Master and Mariners thereof, or any Persons knowing such Offence and assisting therein, shall forfeit £40; and all Governors and Commanders in Chief of the Plantations, and Officers of the Customs, or other Branches of Revenue there, shall take effectual Care that the Act be duly put in Execution. 10 & 11 W. 3. c. 10. § 1, 2.

except Wool to the United Kingdom.

2. But until 25th March 1819, it shall be lawful to export from any Place within the British Plantations in America to the United Kingdom, any Wool, the Product of any of the said Plantations. 46 Geo. 3. c. 17. § 3. 49 Geo. 3. c. 18. § 1.

Penalty upon Officers taking Entries or signing Documents for the Exportation.

3. If any Officer employed in the Management of the Revenue of Customs shall take or suffer to be taken any Entry outward, or sign any Cocket, Warrant, or Sufferance for the shipping and exporting any such Goods as aforesaid, into any Kingdom, State, or Dominion whatsoever, (except as aforesaid), or shall wittingly or willingly permit, contrive, or suffer the same to be done, contrary to the true Intent and Meaning of this Act, such Officer so offending in the signing such Cocket, Warrant, or Sufferance, or passing such Entry, or anywise conniving thereat, shall for every such Offence forfeit his Office and £500. 10 & 11 W. 3. c. 10. § 11.

4. If

4. If any Action shall be commenced against any Person for what he shall do in pursuance of this Act, such Person may file a common Bail, or enter into a common Appearance, and plead the general Issue, and give this Act and the special Matter in Evidence; and if the Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, or if, upon Demurrer, Judgment pass against him, the Defendant shall recover treble Costs and Damages. 10 & 11 W. 3. c. 10. § 13. Actions against Officers.

5. Wool the Growth of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Ship, owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.—*See* Free Ports. Wool may be imported into the Free Ports in Foreign Vessels;

6. Wool the Growth of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from any of the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. *See* Free Ports. and exported from thence to the United Kingdom.

Writs of Assistance.

1. The Superior or Supreme Court of Justice having Jurisdiction within any British Colony or Plantation, may grant Writs of Assistance to empower the Officers of His Majesty's Customs to enter any House, Warehouse, Shop, Cellar, or other Place in the said Colonies or Plantations, to search for and seize prohibited or uncustomed Goods. 7 Geo. 3. c. 46. § 10. May be granted by the Supreme Court of Justice.

2. Persons against whom any Action shall be commenced for any thing done in pursuance of this Act, may plead the General Issue, and give this Act and the special Matter in Evidence; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall be entitled to Treble Costs. 7 Geo. 3. c. 46. § 11. General Issue may be pleaded, and Treble Costs allowed.

Yards. See "Wood."

APPENDIX.

Ship

IT is hereby agreed between the Master, Seamen, and Mariners of the Ship now bound for the Port of and the Master or Commander of the said Ship, That in Consideration of the Monthly or other Wages against each respective Seaman or Mariner's Name hereunto set, they severally shall and will perform the above-mentioned Voyage; and the said Master doth hereby agree with and hire the said Seamen and Mariners for the said Voyage at such Monthly Wages, to be paid pursuant to the Laws of Great Britain; and they the said Seamen and Mariners do hereby promise and oblige themselves to do their Duty, and obey the lawful Commands of their Officers on board the said Ship, or Boats thereunto belonging, as become good and faithful Seamen and Mariners; and at all Places where the said Ship shall put in or anchor during the said Ship's Voyage, to do their best Endeavours for the Preservation of the said Ship and Cargo, and not to neglect or refuse doing their Duty by Day or Night; nor shall go out of the said Ship on board any other Vessel, or be on Shore under any Pretence whatsoever, till the Voyage is ended and the Ship discharged of her Cargo, without Leave first obtained of the Master, Captain, or Commanding Officer on board; and in default thereof they freely agree to be liable to the Penalties mentioned in the Act of Parliament, made in the Second Year of the Reign of King George the Second, intituled An Act for the better Regulation and Government of Seamen in the Merchants Service; and the Act made in the Thirty-seventh Year of His present Majesty's Reign, intituled An Act for preventing the Desertion of Seamen from British Merchant Ships trading to His Majesty's Colonies and Plantations in the West Indies: And it is further agreed by the Parties to these Presents, That Twenty-four Hours Absence

without Leave shall be deemed a total Desertion, and render such Seamen and Mariners liable to the Forfeitures and Penalties contained in the Act above recited; that each and every lawful Command which the said Master shall think necessary to issue for the effectual Government of the said Vessel, suppressing Immorality and Vice of all Kinds, be strictly complied with, under the Penalty of the Person or Persons disobeying forfeiting his or their whole Wages or Hire, together with every Thing belonging to him or them on board the said Vessel: And it is further agreed, That no Officer or Seaman, or Person belonging to the said Ship, shall demand or be entitled to his Wages or any Part thereof, until the Arrival of the said Ship at the above-mentioned Port of Discharge, and her Cargo delivered, not less than Twenty Days in case the Seaman is not employed in the Delivery: And it is hereby further agreed between the Master and Officers of the said Ship, that whatever Apparel, Furniture, and Stores, each of them may receive into their Charge, belonging to the said Ship, shall be accounted for on her Return; and in case any Thing shall be lost or damaged through their Carelessness or Insufficiency, it shall be made good by such Officer or Seaman by whose Means it may happen, to the Master and Owner of the said Ship: And whereas it is customary for the Officers and Seamen on the Ship's Return Home in the River, and during the Time their Cargoes are delivering, to go on Shore each Night to sleep, greatly to the Prejudice of such Ship and Freighters; be it further agreed by the said Parties, that neither Officer nor Seaman shall, on any Pretence whatsoever, be entitled to such Indulgence, but shall do their Duty by Day in Discharge of the Cargo, and keep such Watch by Night as the Master or Commander of the said Ship shall think necessary, in order for the Preservation of the above: And whereas it often happens that Part of the Cargo is embezzled after being delivered into Lighters, and as such Losses are made good by the Owners of the Ships; be it therefore agreed by these Presents, that whatever Officer or Seaman the Master shall think proper to appoint shall take Charge of the Cargo in the Lighters, and go with the same to the lawful Quay, and there deliver his Charge to the Ship's Husband, or his Representative, or see the same safely weighed at the King's Beam; and in consequence of their true Fidelity, such Officer or Seaman

shall

shall be entitled to Two Shillings and Sixpence each Lighter, exclusive of their Monthly Pay; and should it so happen that Lighters are detained a considerable Time at the Quay before they can be unloaded, such Officer and Seaman so appointed shall in that Case be be entitled to Two Shillings and Sixpence for every Twenty-four Hours, exclusive of their said Monthly Pay; that each Seaman and Mariner who shall well and truly perform the above-mentioned Voyage (provided always that there be no Plunderage, Embezzlement, or other unlawful Acts committed on the said Vessel's Cargo or Stores) shall be entitled to their Wages or Hire that may become due to him, pursuant to this Agreement; that for the due Performance of each and every the above-mentioned Articles and Agreements, and Acknowledgement of their being voluntary and without Compulsion, or any other clandestine Means being used, the said Parties having hereto subscribed their Names, the Day and Month set opposite to their respective Names.

Place and Time of Entry.	Men's Names.	Quality.	Witness to each Man's Signing.	Pay in the River.		Wages per Month, or by the Run for the Voyage.	Whole Wages.
				Whole.	Half.		

THE END.

Printed by A. Strahan, Law-Printer to His Majesty,
Printers-Street, London.